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TRANSCRIPT OF RECORD

Supreme Court of the United States

OCTOBER TERM, ~~1962~~ 1963

No. ~~686~~ 39

NEW YORK TIMES COMPANY, PETITIONER,

vs.

L. B. SULLIVAN.

No. ~~689~~ 40

RALPH D. ABERNATHY, ET AL., PETITIONERS,

vs.

L. B. SULLIVAN.

ON WRITS OF CERTIORARI TO THE SUPREME COURT OF THE STATE OF ALABAMA

PETITIONS FOR CERTIORARI FILED NOVEMBER 21, 1962
CERTIORARI GRANTED JANUARY 7, 1963

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, ~~1962~~ 1963

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ON WRIT OF CERTIORARI TO THE SUPREME COURT OF THE STATE OF ALABAMA

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[fol. 780]

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 118

THE NEW YORK TIMES, TUESDAY, FEBRUARY 28, 1956

BUSINESS SUFFERS BY RACIAL DISPUTE

MONTGOMERY MERCHANTS WHO DEAL WITH NEGROES AND WHITES ARE HARD HIT

BY WAYNE PHILLIPS
Special To the New York Times

MONTGOMERY, ALA., Feb. 27—Caught in the middle of the struggle between white man and Negro in Alabama is the business man who must deal in peace with both.

This is true of the Montgomery City Lines, operators of the buses boycotted since Dec. 5 by Negroes. It is true of the retail store owners. It is true of the whole roster of makers of consumer goods who have been accused of taking sides in the race struggle.

Among the latter are the makers of Philip Morris cigarettes, Ford products Philco radios and television, Falsatf beer, Cocoa Cola, Colonial bread, Holsum bread and International Harvester equipment.

CAUGHT IN THE MIDDLE

But whatever the origin, rumor travel like wildfire, passed on by word of mouth. Before them the business man is helpless, compelled to either stand mute or give offense to one side of the other. And while he waits for the storm to pass his business often suffers.

The Montgomery City Lines, a subsidiary of National City Lines in Chicago, does business in a city where both local ordinance and state law compels it to maintain racial

segregation. Its drivers are given the power to determine how this shall be done, and to police their decisions.

It was in the process of carrying out those laws—even granting unfairness and poor judgment by a driver—that the spark was lit that touched off the current bus boycott. [fol. 781] As a result the company has lost almost 65 per cent of its riders, been forced to increase its fares from 10 to 15 cents, curtail its schedules and has been operating at a loss.

A side effect of the boycott has been the impact on the city's retailers, some of whom had derived considerable business from prize locations at key bus stops. The Liggett's Retail drug store, for example, occupies a corner on Court Square where thirty-five buses pass during the morning and evening rush hours.

CORNER LOSES VALUE

Before the boycott that corner would have been crowded with hundreds of Negroes going to and from work, or stopping off to change buses. Since the boycott this traffic is negligible on the corner, and sales have declined.

The Negroes have denied that their refusal to ride the city buses is an "economic reprisal," The White Citizens Councils, organized to defend segregation, deny also that they recommend such policies. But despite the denials economic reprisal and threats of it are a key part of the race conflict here.

In Tuskegee, Ala., for example, the Feb. 7 issue of the Tuskegee Civic Association News, a Negro publication, had an article urging Negroes to work to get white members of the voting registration board who would facilitate their voting. And it included this sentence:

"Any local business man who sells you goods and services, or who in any wise benefits from your money, and who is not sympathetic to your becoming a registered voter, is not interested in your total welfare, and by his acts or lack of them is not deserving of your patronage."

EDITOR'S PERSONAL VIEW

Dr. Charles S. Gomillion, dean of students at Tuskegee Institute and president of the association, denied that this was an appeal for a boycott—which would be illegal in Alabama. It was, he said, just the personal view of the publication's editor.

Philip Morris, Inc., was said to have made a financial [fol. 782] contribution to the National Association for the Advancement of Colored People—an organization that is anathema to the segregation-supporting Southerner.

The company and the N.A.A.C.P. deny that any such contribution was made.

However, at the cigarette counter in Montgomery's chief hotel one package of Philip Morris has been sold in the last twenty-four hours. And the manager of the Liggett's Drug Store mentioned earlier estimates his sales of that brand are off 20 per cent.

The report was spread through a St. Louis publication called White Sentinel. This publication, which is circulated here through the Central Alabama White Citizens Councils, is strongly pro-white and anti-Negro.

ALABAMA U. SHIELDS PETITION'S SIGNERS

MONTGOMERY, ALA., FEB. 27 (AP)—An Alabama legislator said today the time has come when white Alabamians must either move out of the state, "stay here and be humiliated, or take up our shotguns."

Representative W. L. Martin of Greene County said white Alabama citizens have been "compromised" to such an extent by recent racial unrest that they apparently must choose one of those three courses of action.

He did not elaborate on the "compromise". His remarks came during an unsuccessful effort to get a list of the University of Alabama students who requested that a Negro co-ed be readmitted to the Tuscaloosa campus.

The interim legislative committee investigating school finances adjourned without taking a vote on Mr. Martin's proposed resolution asking Dr. O. C. Carmichael, university president, for the names of students who signed a petition urging that Autherine J. Lucy be readmitted to the university.

The petition circulated on the campus last week reportedly [fol. 783] was signed by about 500 of the university's 7,00 students. Miss Lucy, the first Negro ever admitted to the university, was barred from the campus "for her own safety" following violent demonstrations three weeks ago.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 119

THE NEW YORK TIMES, MONDAY, FEBRUARY 27, 1956

NEGRO PASTORS PRESS BUS BOYCOTT BY PREACHING PASSIVE RESISTANCE

'INTEGRATION IS GREAT ISSUE OF OUR AGE,' LEADER OF MONTGOMERY FIGHT ASSERTS—SEES VICTORY AS ONE FOR DEMOCRACY

BY WAYNE PHILLIPS
Special to The New York Times

MONTGOMERY, ALA., Feb 26—Montgomery's Negro ministers—twenty-four of them under indictment in the current bus boycott—preached the doctrine of passive resistance today.

And in their churches special collections were taken up, as they have been for the last eleven weeks, to help support the car-pool that transports Negroes to and from work.

In the sermons today there was a new and stronger emphasis, however, perhaps the result of the solidarity the city's Negroes have shown in the face of last week's ninety arrests.

The boycott, which began as a protest against what was considered unfair segregation, now was being equated with an attack on all segregation.

The Rev. Martin Luther King, Jr., president of the organization that has led the protest, returned after two weeks out of the city to his pulpit in the Dexter Avenue

Baptist Church, a red-brick building almost at the foot of the State Capitol.

[fol. 784] 'A Great Struggle'

"Integration is the great issue of our age, the great issue of our nation and the great issue of our community," he told the 300 worshipers at his church.

"We are in the midst of a great struggle, the consequences of which will be world-shaking," he said. "But our victory will not be a victory for Montgomery's Negroes alone. It will be a victory for justice, a victory for fair play and a victory for democracy."

"Were we to stop right now, we would have won a victory because the Negro has achieved from this a new dignity. But we are not going to stop. We are going on in the same spirit of love and protest, and the same dignity we have shown in the past."

Mr. King's sermon was on the subject "Faith in Man"—condemning man's pessimism about himself and his future, and declaring that the Christian faith was faith in man's ability to rise above his own evil nature, his heredity and his environment.

In his appeal for funds to support the protest movement, Mr. King declared:

"We have to be very careful that no one exploits this movement.

"We all know," he said, "that the Till case was exploited too much. We need money, but we're not going to do anything and everything to get it. No one is going to get fat on this, and no one is going to get any handouts."

250 at Church Services

Rev. Ralph D. Abernathy, chairman of the negotiating committee that failed in the last attempts to settle the boycott, told his congregations of supporting telegrams and financial contributions that had come from all over the country.

"The telegrams told us to hold out, keep the faith and keep moving," he said. In the morning's mail, he added, there had come $1,200 in contributions to help support the protest, some of it from northern white people.

"Our white friends are with us, you don't have to make [fol. 785] this fight alone," he told the 250 worshipers at the Negro First Baptist Church.

The Negro Interdenominational Ministerial Alliance, headed by Rev. L. Roy Bennett, pastor of the Mount Zion African Methodist Episcopal Church, has played a leading role in organizing the bus protest. The actual direction of it, however, has been through the Montgomery Improvement Association headed by Mr. King.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 120

THE NEW YORK TIMES MAGAZINE

FEBRUARY 26, 1956

TUSCALOOSA: A TENSE DRAMA UNFOLDS

The case of Autherine Lucy has produced an upwelling of hatred in an Alabama city—and fear about the next development in this key desegregation fight.

BY WAYNE PHILLIPS
Tuscaloosa, Ala.

Tuscaloosa could be a middle-sized city in any part of United States. Along its broad, straight, main streets one sees the same familiar storefronts—Woolworth's, Sears, Penney's, Grant's—and the theatre marquees advertise the same movies. Walk in quiet, tree-shaded residential streets and one might be in Westchester or Bergen County. Normally, it is a friendly city, where the stranger is easily recognized and readily welcome.

But Tuscaloosa isn't normal any more. Beneath the same peaceful surface that has remained unchanged, there now runs a pitch-black current of hate and fear. People who have worked side by side in harmony for years now jest grimly of killing each other. Leaders once respected are now despised. Strangers are shunned as symbols of alien interference. Rumors fly faster and faster and with more effect than honest news. The city sits on the brink of dis-

aster, ready to explode in violence and bloodshed at the slightest spark, terrified of what it sees coming, helpless to head it off.

[fol. 786] For it is Tuscaloosa, the clean, prosperous city that has long been proud of its good race relations, that has become the focal point in the battle for and against integrated education.

Autherine J. Lucy, a Birmingham Negro woman, is determined to study library science at the all-white University of Alabama in Tuscaloosa. A large majority of the white people of Alabama are determined that she shall not.

The Federal law is, so far, on Miss Lucy's side. But whether that law can be enforced in the face of mob violence that has already driven her from the campus once is an open question. Both sides are determined to fight the issue to a showdown. No one is backing down. And unless someone does soon it will be violence alone that will decide. Whichever side wins will have set an example for the whole South.

Tuscaloosa is a city of 56,000 persons at the headwaters of the Warrior River. It is in country first seen by white explorers in 1810, settled in 1816. Until the Civil War it was little more, than a trading center for the surrounding cotton plantations, and it was 1920 before its population passed 10,000.

In Tuscaloosa, the Negroes and whites have lived side by side in peace. Here the Negro may register and vote as freely as the white man. Here "separate but equal" means just that—in education, transportation, recreation, and housing. Here, Negroes and whites work side by side, sit down to talk together, occasionally worship together, take part in programs in each other's schools and, until recently, respected each other.

In part, that has been because of the presence here of the University of Alabama, a 125-year-old all-white institution with a magnificent campus, good professors, and an academic standing better than its reputation as the country club of the South would indicate. The University has done much through the classroom to break down blind prejudice, and it has brought into the community a leavening influence of Northerners who have made this their adopted home.

Between them, the educated Southerner and the transplanted Northerner have worked cautiously and diligently [fol. 787] in years past toward harmonious relations between the races, breathing life into Christian platitudes about brotherhood and respect for man.

Much of this was done through the Interracial Committee of the town's Religious Council, a small but potent group of Negro and white leaders organized eleven years ago by J. T. McKee, a retired educator. It's chairman today is Dr. R. E. Tidwell, who was from 1927 to 1931 the State Superintendent of Education. He retired in August of 1954, as dean of the University of Alabama's important extension division and immediately moved to the other side of Tuscaloosa, to become the assistant to the president of Stillman College, an institution for Negroes supported by the Presbyterian Church of the U. S.

Among the white members of the council are the president of Stillman College, the Young Men's Christian Association secretary, a hardware store owner, ministers, a rabbi and university professors. Among the Negroes are a newspaper publisher, an important property owner, the high school principal, ministers and educators.

Through the efforts of the council, its members and those sympathetic to it, a quiet revolution was going on.

White staff members of the University of Alabama became part-time members of the Stillman College faculty. Negroes became members of the directing boards of the Red Cross and the United Community Fund. A Negro recreation center was set up under the United Fund. Negro recreation was given a share of the city's recreation funds, proportionate to the population. The Chamber of Commerce sponsored an annual dinner for the best Negro farmer. A completely modern $2,000,000 high school was built for Negroes.

Similar things were going on in areas unreached by the council. In the C.I.O. unions Negroes and whites belonged together, met together, sat down together at the bargaining table. In the A.F.L. unions there were Negro locals and white locals—but the representatives of each sat together in the Tuscaloosa Central Labor Union and were equally

vocal. Pay the Negroes and whites equally. White local members respected the picket lines of Negro locals. And white workers went out on strike to preserve the jobs of Negro employes.

[fol. 788] There are Negro and white Roman Catholic Churches in Tuscaloosa. But isolated Negroes can worship unnoticed at the white church. And a few white, for convenience, will go to mass at the Negro church. The white priest at the Negro church is also the chaplain of the all-white Knights of Columbus. By working conscientiously and diplomatically he has persuaded the Knights to make the Negro parochial school their meeting place.

That school, at the edge of a Negro section, is across the street from a row of expensive, upper middle-class homes. The close proximity, which has bothered neither the whites nor the Negroes, is typical of the mixed-up racial pattern in Tuscaloosa housing.

Here, as anywhere, one finds poor whites living in shacks indistinguishable from those of poor Negroes. But here one also finds middle-class homes owned by whites adjoining equally good homes owned by Negroes. On the edges of the city, housing is clearly separate. But through the central parts of the city's residential section there is no single Negro quarter—pockets of Negro homes are scattered throughout.

In short, to a Northerner segregation in Tuscaloosa is barely noticeable. He sees it clearly only in drinking fountains labeled "white" and "colored," in Negroes seated always at the rear of buses, in the divided but unmarked sections of shelters at bus stops, and in the miserable colored waiting room in a corner of the city's Greyhound bus station.

In church, school, store, on the street, the segregation the Northerner sees is only more rigid, but no different than the purely social, unenforced segregation he knows in the North.

Tuscaloosa is not simply a university town. It has been swept along in the great Southern currents of urbanization and industrialization. Once the center of rich cotton country and prosperous plantations, it had a population of only 5,000 at the turn of the century. Then to the banks of the

Warrior River, down which the cotton rode toward Mobile, there came factories—a paper mill, a foundry, a rubber company, a chemical company, an oil refinery, a coal corporation.

From the farms and woods of Alabama and down from [fol. 789] Northern cities have come the men to toil in those factories and work in the burgeoning urban economy of a rapidly expanding city. The Negroes and whites who came from the country did not particularly like each other there, and they liked each other less when forced into the close proximity of a city. For those from the North it was the same racial conflict they had known in the industrial cities there. Only here those conflicts were welded to a Southern social system, and have made that system more rigid.

Enlightened management in the factories could bend over backward to insure that facilities for both races were equal —but they had to be separate. For the Negroes are fighting for the better jobs and homes of the whites. And the whites are working and dreaming and saving to get a job and home as far from the Negro as possible. For he is a symbol of their poverty.

Prejudices are blind to facts, and that is true of those held here.

Many whites believe they are a desperate minority in a sea of Negroes. They will tell you the Negro outnumbers the white here from two to five times. Actually there are twice as many whites as Negroes here.

They believe that Negroes are dirty and ridden with venereal disease. But in every restaurant in town it is the Negroes who do the cooking, wash the dishes and handle the food.

They believe that racial equality is a Communist idea and that Communists dominate the National Association for the Advancement of Colored People. But they worship in churches that taught the brotherhood of man long before Communists heard of it. And the Communists in the N.A.A.C.P. are yet to be found.

They believe that integration in education is a step toward mongrelization of the race. But they have never had qualms about the relations some whites have had with Negro women.

Most important of all, they believe that the South has a unique system of social segregation that an outside agency —the United States Supreme Court—is trying to force them [fol. 790] to abandon. They react as did drinkers at attempts to legislate social customs, without realizing that the North has never been able to legislate racial equality.

It is in the context of all this that the case of Miss Lucy must be understood. For years the students, faculty and administrators of the University of Alabama have known that eventually a Negro would be admitted. They were opposed to it in principle—as Southerners. But they believed that it would come, inevitably, and they believed that it would cause no difficulty.

In the three years the case of Miss Lucy was in the courts no attempt was made by the university to prepare for the order to admit her. No one saw that the decision by the United States Supreme Court calling for the integration of the public schools and created a new situation—a community of interest between town and gown in the fight against integrated education.

It was the N.A.A.C.P. that was waging the fight for public school integration, a battle close to the interests of the townspeople, and it was the same N.A.A.C.P. that was pushing Miss Lucy's fight to get into the university. The battle to keep out Miss Lucy became the battle to keep our "clean little white girls" from being forced to go to school with "dirty little Negro boys."

The N.A.A.C.P. unwittingly, gave the opponents plenty of ammunition to reinforce their convictions. Autherine J. Lucy was a long way from the nice little Negro high school girl, daughter of a good local family, who might have been slipped into the University of Alabama with a minimum of muttering.

She was a stranger to Tuscaloosa, a Negro who already was a college graduate, and "tainted" by contacts with the N.A.A.C.P. She was 26 years old when the court battle was over—too old in the eyes of those here to have any honest interest in education.

When Miss Lucy finally did win admission she showed up here riding in a Cadillac with some prominent Birming-

ham Negroes. She was fashionably and tastefully dressed —too much so for this informal campus. She was hustled ahead of waiting white students to complete her registration. [fol. 791] tion. She was accompanied everywhere by photographers and newsmen. And she paid her tuition with a crisp $100 bill from her handbag.

The result of all this was to create a basis of hostility toward Miss Lucy by other students and the townspeople. This was heightened when the N.A.A.C.P., unsatisfied at getting Miss Lucy into the university, determined to fight to get her a dormitory room and dining room facilities also.

The student feelings found their expression in what, outwardly at least, was an impromptu Friday night demonstration that included a march down town to a flagpole, inflammatory speeches, and a visit to the president's mansion. It gathered momentum the next night with another demonstration after a basketball game. Town rowdies joined, Negro automobile drivers were molested, eggs were thrown and the president of the university hooted down.

The crisis came Monday, Feb. 6, when a hard-core mob of a few hundred persons, given strength by the town-and-gown merger of Saturday assembled on the campus to drive Miss Lucy out.

Exactly who was in the mob is unknown. But in it were students, factory workers, high school truants and some unknown persons with guns. They were prepared to kill.

They were not united by any general hostility to Negroes. Here and there among those stood to watch were Negroes, and others walked unnoticed through the mob. Miss Lucy herself did that on the way to her first class, and was never recognized.

But when she left that class in the automobile of the Dean of Women the mob turned on the car, smashing its windows with bricks and stones, spattering it with eggs and shouting for blood.

The car got away from the mob and took Miss Lucy to her second class. But there she was trapped, unable to leave for almost three hours, until a highway patrolman slipped her out to an automobile and drove her away with her lying on the floor.

The demonstrating continued into that night until it was announced that the university board of trustees, meeting [fol. 792] in an emergency session at a downtown hotel, had suspended Miss Lucy for her own safety and that of the others at the university. As soon as the word got around the mob dispersed.

The purpose of the university, as explained by one of its officials, was to "break the rhythm of the mob" before serious damage was done. It was also he said, "to create a breathing spell," in which it was hoped tensions would relax and people would forget what had happened.

That was a vain hope. All the breathing space provided was a chance for opinions to solidify, for those on both sides of the issue to organize.

For a month it had been planned to set up in Tuscaloosa a Council on Human Relations—a branch of the only interracial group active in the state. The Council had formed, by coincidence, the day after Miss Lucy was driven out—it comprised, in the main, the same persons who belonged to the Interracial Committee.

But the moderate approach was rapidly losing ground. There was little the newly formed Council could do save issue an appeal for peace and moderation. Public programs which would have brought Negroes and whites together were called off rather than attract attention. Those who favored a gradual approach to integration feared to say anything on that subject. Public officials who had privately assisted the work of the Interracial Committee could no longer afford to be identified with it in any way. Liberal union officials dared not be accused of anything radical on the race issue. The bridge that had so painstakingly been built tween the races was all but destroyed.

The legal actions taken by the attorney for Miss Lucy went far beyond what most observers here believed to be either necessary or factual. After an N.A.A.C.P. attorney flew here from New York for consultation, Miss Lucy's lawyer, Arthur D. Shores of Birmingham, sought a contempt action against the Board of Trustees—alleging that the board was using her safety as a subterfuge to bar her from the university on racial grounds, and charging the

university with acting in concert with members of the mob. A separate suit was filed demanding living quarters for [fol. 793] Miss Lucy. Damages totaling $3,000 were sought. And it was asked that the trustees be jailed unless they permitted Miss Lucy to return to classes.

Race relations in Tuscaloosa had been so happy that, as the Lucy affair was coming to a head, Negroes only gathered to watch and laugh when a fiery cross was burned on the edge of the Negro high school campus. Even after the demonstration Negroes were shocked and concerned, but not fearful. That all changed the night a West Alabama White Citizens' Council was formed here.

Across the South white people have been organizing citizens' councils to defend what they regard as their right to segregation. There had been no such council in Tuscaloosa, and to many it seemed unthinkable that there should be. But one was formed on Feb. 17—its temporary chairman the same 19-year-old student who stood on the base of the town's flagpole to harangue the original demonstrators.

Over a thousand persons flocked to the organization meeting at the County Court House—three times as many as could get in. They were students, business men, farmers and factory workers. And their temper and convictions were the same as those of the mob.

In the meeting the prime targets were not the Negroes, as such, but the whites who were presumed to be fighting on the side of the Negroes. The Northern carpetbaggers who had come here to cover the news were ridiculed. The local newspaper, which had taken a strong stand against the violence, was denounced. The opinions of the rest of the world, which had been published in that newspaper, were defied. The public officials of Alabama from the Governor down to the Mayor of Tuscaloosa were attacked, on one pretext or another, as being soft on the issue of segregation.

"From the lowest county peanut politician up to the Governor, the offices of Alabama will be filled with God fearing men who believe in segregation," the students chanted in the spell-binding rhythms of a Southern preacher.

"I'm a rebel and I'm away down South of the Mason-Dixon line and there ain't nobody going to force this chicken [fol. 794] to go to school with no nigger," shouted another speaker. "Leave the cotton-pickin' South to the Southerners."

And the crowd that jammed the court room, standing along the walls, sitting in the aisles, and overflowing for a block up the street, stomped, cheered, clapped, burst out with rebel yells and shouts of "Hallelujah!"

In short, there had occurred in Tuscaloosa, as far as that audience was concerned, a complete breakdown of respect for authority and communications. Public officials could not be trusted; what was printed in newspapers or heard on the radio could not be believed. All that could be trusted were those who had placed themselves at the head of the mob; all that could be believed were rumors.

Saturday, the day after the white council meeting, there was something in Tuscaloosa the outsider had not felt before. There was hate.

Hate literature was circulated through the regular Saturday shopping crowds on the main street. Negroes were publicly ridiculed by men with whom they lived in peace for years. Strangers were shunned or, if recognized as Northerners, taunted. Violence was something to be laughed at, boasted of, and gloried in. At night the streets, usually busy on a Saturday night, were deserted. The police were everywhere. Isolated acts of violence, usually ignored, were viewed as storm signals on the horizon.

All this was not just because of what had happened in Tuscaloosa. The entire area from Birmingham to Montgomery, with Tuscaloosa in the middle, was the same. Birmingham was on the edge because of reports that Negroes were buying up ammunition and guns and planning to start trouble in near-by Bessemer. Montgomery was reaching a crisis in the long Negro boycott of the city buses, which had already resulted in bombings.

The fact was, and everyone knew it, that throughout the whole area no responsible person was in control of the future. The mob ruled, and the mob alone would determine when, where and how to strike. The most elaborate

preparations of law enforcement officials, from the National [fol. 795] Guard to the campus police, could not foresee every eventuality. The words of caution and temperance poured out by church and community leaders were straws scattered upon the flood.

This coming week a Federal court in Birmingham must decide whether Miss Lucy may return to the campus. The University of Alabama cannot back down and voluntarily admit Miss Lucy against the violent sentiment of the community. The N.A.A.C.P. cannot back down and drop its case without surrendering the most important battle it has fought for integrated education. The court cannot exclude Miss Lucy without admitting that it cannot preserve order. Miss Lucy cannot withdraw without surrendering to the mob.

So far, Miss Lucy says she is not afraid and will not back down. So far the university officials, though they will do everything to uphold their side, are convinced that the judge will order Miss Lucy back on the campus. Everyone talks of maintaining law and order, but nobody seems to believe it.

In short there appears to be no legal way out, and everyone here is preparing for a head-on collision at the University of Alabama of two of the strongest and most fearful forces of the twentieth century.

(10 Photographs Attached to Original)

[fol. 799]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 121

THE NEW YORK TIMES
SATURDAY, FEBRUARY 25, 1956

FOLSOM PROPOSES BI-RACIAL GROUP TO FIGHT TENSION

GOVERNOR CALLS FOR ALABAMA BOARD IN PLEA TO LEADERS OF PRESS IN HIS STATE

90 NEGROES FACE COURT

ARRAIGNED FOR ROLES IN BUS BOYCOTT—THOUSANDS walk in protest over arrests

By Wayne Phillips
Special to the New York Times

MONTGOMERY, ALA., Feb. 24—Alabama's Governor proposed today a state commission of Negroes and whites to seek to reconcile racial differences.

Gov. James B. Folsom put his proposal before seventy-five of the state's editors and publishers at a conference in the House Chamber at the State Capitol. As far as is known here, no other state has a bi-racial government commission of such scope.

Ninety Negroes, meanwhile, were being arraigned a few blocks away in Circuit Court on charges of organizing and joining in an illegal boycott of the city's buses. The others have been indicted but not yet arrested.

In New York, Representative Adam Clayton Powell, Democrat of Manhattan, said a meeting of Negro churches' leaders had approved a "national deliverance day of prayer" and a one-hour work stoppage on March 23. In

Baltimore 300 ministers of the African Methodist Episcopal Church asked for Federal intercession. A special emergency session of the Council of Bishops will be held in Washington Saturday.

[fol. 800]

LAWS FOUGHT IN COURT

The conference with the editors, who had been called from all parts of the state, underscored the seriousness with which tension between whites and Negroes was viewed here.

All day thousands of Negroes trudged the streets, refraining from riding in automobiles and taxicabs, in protest against the arrests in the eighty-one-day bus boycott.

This was touched off by the arrest Dec. 1 of a 42 year-old seamstress, Mrs. Rosa Parks, for refusing to give up her seat to a white when ordered to do so by the driver of a city bus.

At first the boycott was a protest against what the Negroes considered to be unfair treatment in enforcing segregation laws. But later a suit was filed in Federal Court seeking to overthrow the city and state bus segregation laws.

Racial tension also has come to the fore in Tuscaloosa, where demonstrations protested the admission of the first Negro student to the University of Alabama and in Bessemer. There reports spread that Negroes had been buying stocks of arms and ammunition. Throughout the state White Citizens Councils have been formed to defend segregation.

Governor Folsom has been under constant pressure to do something. He has been accused of "fiddling while his state is burning." But while some would have had him take a firm stand against any form of integration, others wished to see him declare war on the Citizens Councils.

The difficulty confronting him was illustrated at this morning's session. After calling for the bi-racial commission to create a common forum for the two races, he affirmed his opposition to integrated education.

"Anyone with any sense knows that Negro and white children are not going to go to school together anywhere in Alabama any time," he said. And applause that swept the

hamber all but drowned out his concluding words—"in the ear future."

Voluntary community interracial groups have been op-rating in Alabama for years. They have worked toward [fol. 801] better separate but equal facilities. Many volun-ary groups are affiliated with the bi-racial Alabama Council n Human Relations.

That council had been urging for almost a year that Gov-rnor Folsom establish a state bi-racial commission of race roblems. But the Governor was cool to the idea. He did ot decide firmly to put it forward until Wednesday, after e had decided to invite the members of the Alabama Press ssociation to today's meeting.

PRESS LEADERS ATTEND

The exact way in which he would present it to the editors as still being worked out in conferences this morning.

Of the 150 members of the Alabama Press Association nvited to today's meeting, about half appeared. But the utstanding editors and publishers in the state were present.

Another 100 spectators and reporters crowded into the hamber, where Alabama's representatives decided ninety-ive years ago to secede from the Union.

The extensive news coverage included live television. n a resolution supporting the Governor's proposal no one oted "nay."

Several Northern Negro reporters who have been cover-ng the bus boycott sat side by side with whites, a rare ight in the Alabama legislature. Only one Alabama negro ublisher was present, Emery O. Jackson of The Birming-am World. He had not been invited.

Governor Folsom apologized for not including Negro ublications in his general invitation. He said he had hought that they were members of the Alabama Press ssociation. None of the eighteen Negro newspapers pub-ished in the state is a member.

'A Serious Problem'

"I didn't call you editors here to ask you to support my rogram," the Governor said. "I have asked you here to

help solve a very serious problem. The whole world is looking to Alabama today—looking to see whether Alabama will do something to bring about peace between the races."

After outlining his suggested commission, the Governor threw the meeting open for comment. None spoke against [fol. 802] the commission. Several made clear the limits within which they thought it should work.

Burford Boone, publisher of The Tuscaloosa News, who has been under sharp attack by white extremists in his community for condemning the violence at the university, declared that his newspaper believed in a "moderate" approach and not the extremes recommended by the Negro press.

James Mills, editor of The Birmingham Post-Herald, said: "All of our people are frightened over what might happen, thus your idea is sound. But we must operate within the framework of traditions that are deep rooted in our state."

State Senator Albert Boutwell of Jefferson County (Birmingham), chairman of a committee that has drafted a constitutional amendment to maintain school segregation, said:

"There's too much hysteria among our people, too much misunderstanding. Our problem is combatting agitation from sources foreign to Alabama. Rather than having the agitators convert us, maybe we can convert them."

No Negroes On Group

The Governor broke in after his speech to comment, "there's more segregation in Harlem, Chicago and Detroit than Alabama; they just don't understand our problem."

The Governor appointed Mr. Mills chairman of a provisional committee to plan for organizing the commission. None of the members of the committee picked by Mr. Mills is a Negro.

"It's already started off wrong," Mr. Jackson said in an interview as the meeting broke up. "If it's going to be interracial it ought to be interracial; but it has already gotten off all white.

"The commission will work in a climate that is already so hostile and unreasonable that good men can't do very

much. We will cooperate in everything looking to the best interests of the people. The interracial approach is a good approach. I just hope it can get off without any fixed notions.

State Senator Sam Englehardt, Jr. of Macon County, chairman of the Central Alabama White Citizens Councils, [fol. 803] was also dubious. He commented:

"I'm proud of the statement the Governor made on segregation and maybe this is worth a try. But the people of Alabama are not going to stand for any relaxation of the laws. I don't think sitting down with the Negroes will accomplish anything because I don't think there will be a meeting of the minds."

Senator Englehardt said that at least two of the editors appointed to the provisional committee were supporters of the White Citizens Council movement.

The editors had luncheon with Governor and Mrs. Folsom at the Governor's mansion. Afterward the Provisional Committee met with the Governor. It announced that it thought the commission should be established by a special session of the Legislature that is to be called Monday to deal with school finances.

The committee suggested that the commission be composed of twenty-five members appointed by the Governor; a Negro and a white from each of Alabama's nine Congressional districts and three Negroes and three whites from the state at large, plus a chairman. It was understood that the state's editors and publishers would assist in finding suitable persons to serve.

The big question was what type of views would be represented. Among the Negroes as well as the whites of Alabama opinions on segregation vary widely.

Robert E. Hughes, executive secretary of the Alabama Council on Human Relations, said: "One fact is obvious. The recommendations of such a body will be acceptable to both whites and Negroes only if truly representative citizens of both groups participate."

The ninety Negroes arraigned this morning pleaded not guilty to a charge of violating a 1921 statute outlawing a conspiracy to hinder without just cause the carrying on

of a lawful business. The maximum penalty is a $1,000 fine and a six-month jail sentence.

Each defendant may ask a separate jury trial. Circuit Judge Eugene W. Carter set the week of March 19 for trials. He must rule before then on motions to challenge the indictments.

[fol. 804] All the defendants walked from their homes to the courthouse this morning through a light drizzle, setting the example for those they had asked to join in the protest pilgrimage. And after the arraignment they walked four blocks to the Dexter Avenue Baptist Church.

The church is that of Rev. Martin Luther King, Jr., an Atlanta-born Boston-educated Negro who is the president of the Montgomery Improvement Association, which has led the boycott.

There, while the editors were conferring with the Governor, the defendants and their following joined in a prayer meeting.

Mr. King read the gathering a telegram from Ralph Bunche, Under Secretary General of the United Nations. It read: "I know that you will continue strong in spirit and that you will stand firm in the face of threats and resorts to police state methods of intimidation."

A few Negroes were seen riding in automobiles. There were even a few on the buses, as there have been throughout the boycott.

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL)

[fol. 805]

POLITICIAN IN SQUEEZE

Gov. James E. Folsom

(One Photograph attached to original)

Mounting racial tensions have trapped "Big Jim" Folsom, Alabama's burly "common man" Governor, in a squeeze that is threatening disaster for his political popularity.

Picked for a second term in 1954 by a landslide vote, he now says: "Today I couldn't be elected dog-catcher." Basically an anti-segregationist and champion of Negro

rights, James E. Folsom has succeeded in Alabama politics by appealing to the less-privileged whites as well, particularly in the rural areas.

He has denounced the big landholders and the "big" "mules"—the Alabama term for the industrials and financiers of Birmingham.

He campaigned with the demagogic trappings of hill-billy bands and backwoods mannerisms.

In office he has attempted to promote the welfare of lower income groups, provide more schools and see that Negroes obtain the right to vote.

[fol. 806] His behavior and views were effective with whites as well as Negroes until the recent burgeoning of racial animosities in Alabama. The rural whites were the main source of his support are the Alabamans now most aroused over integration.

The rural whites have now joined other white pro-segregationists in regarding Mr. Folsom with hostility and alarm. At the same time his equivocations and indecisiveness in recent critical situations have also provoked Negro resentment.

Underlying the seriousness of the tension in Alabama, the Governor yesterday proposed a bi-racial state council to reconcile differences.

Big Jim recently charged the National Association for the Advancement of Colored People and "outside agitators" with responsibility for the rioting at the University of Alabama.

He didn't call out the National Guard to maintain order at the university. In general he has not been as active in attempting to mediate racial differences as some observers thought he should be.

The Governor recently let the Alabama Legislature's resolution declaring the United States Supreme Court ruling on desegregation in schools null and void automatically become an act. He neither signed nor vetoed the resolution.

Caught in the Middle

He has lately indicated that the racial animosities of Alabama are more or less to be expected. He remarked

that in his travels in various parts of the world he had observed that peoples of different races usually were not overly fond of each other. He said what has been happening at the University of Alabama "is the result of such feelings of one race for another."

Thus Big Jim is caught in the middle. Even objective observers of the Alabama scene say that his recent failure to act firmly and promptly have attributed to the difficulties now afflicting the state.

However, the Governor's political career has been marked before by downs as well as ups. And he may yet get on [fol. 807] top of the most difficult situation he has yet faced.

One of the most flamboyant of the nation's political figures, the Governor free-wheeled into the Alabama Governor's mansion the first time in 1946. He is the son of a farmer-politician of modest means and was brought up among the rural poor.

He toured the countryside with a five-piece band, talked the language of the rural "red necks" and often kissed the women in his audience before making a speech. Sometimes he spoke with his shoes off. He promised old-age pensions, opposition to the vested interests and a clean-up of corruption in the state capitol.

He carried a mop and a suds bucket, which he passed around for campaign funds. He advocated higher wages for teachers, more schools, particularly for Negroes, abolition of the poll tax, and aid to farmers and small business men and reapportionment of voting districts to assure more equitable representation in the Legislature.

Feuded with Legislators

Well built, handsome and six feet eight inches tall, he called himself "The little man's big friend."

As Governor he carried on a bitter feud with an intransigent Legislature, the press and representatives of the interests that he denounced.

He was regarded as a rough-necked demagogue by many of the more conventional-minded Alabamans. The Mobile Press once said that he had "played the leading role in a comic opera regime" and had degraded the office of Governor.

"Kissin' Jim," as he came to be called, held that Alabma must provide a fair deal for the Negroes who made up 35 per cent of the state's population.

He maintained Negroes should be admitted to graduate schools with whites if Negro graduate facilities did not exist, and he wanted more parks, equal voting rights and economic opportunities for Negroes.

Now 48 years old, the hulking, 245-pound Alabama Governor has been married twice. His first wife died in 1944. [fol. 808] It was while he was a widower that he established his reputation for kissing the ladies.

Just before his second marriage in 1948 and during his first term he was the target of a court action by a divorcee, Mrs. Christine Putman Johnston. She charged he was the father of her baby son and asked that Mr. Folsom be declared her common-law husband. The Governor fought the suit, and Mrs. Johnston eventually dropped the case.

While the case was still in the courts, Big Jim eloped with Janelle Moore, an employe of the State Highway Commission. She is now his wife.

Governor Folsom had a short tour of duty in the Army during the last war but was discharged because of his huge size and transferred to service in the Merchant Marine. He did the dangerous Murmansk run on Army transports. Once, between sailings, he worked as a doorman at a New York Theater.

After the war and his election as Governor he visited New York to receive an award from a fashion studio as the nation's most eligible bachelor.

Governor Folsom's views in Alabama politics have also been reflected in his attitudes in national politics. He was a strong supporter of Franklin D. Roosevelt, opposed the Dixiecrats in Alabama and was a partisan of Henry Wallace's views in 1948. He supported Mr. Wallace for the Vice Presidential nomination.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 122

THE NEW YORK TIMES

FRIDAY, FEBRUARY 24, 1956

NEGROES PLEDGE TO KEEP BOYCOTT

2,000 at Montgomery Rally—Bus Arrests Continue

BY WAYNE PHILLIPS
Special to the New York Times

MONTGOMERY, ALA., Feb. 23—One after the other indicated Negro leaders took the rostrum in a crowded Baptist church tonight to urge their followers to shun the city's buses and "walk with God."

[fol. 809] More than 2,000 Negroes filled the church from basement to balcony and overflowed into the street. They chanted and sang; they shouted and prayed; they collapsed in the aisles and they sweltered in an 85-degree heat. They pledged themselves again and again to "passive resistance."

It is under this banner that they have carried on for eighty days a stubborn boycott of the city's buses. The boycott has brought criminal charges against Negro leaders.

Eighty-nine of them, including twenty-four Protestant ministers, were arrested yesterday and today and charged with carrying on an illegal boycott. More arrests are to be made under eleven indictments handed up Tuesday.

Tomorrow those arrested are to be arraigned in Circuit Court. The Negroes have been called on to stage at that time a "prayer pilgrimage day."—to give up the use of automobiles and taxis and walk the streets in protest.

"It is not expected that a single race-loving Negro will turn the key in his ignition or turn the crank of his automobile or ride a taxicab," the Rev. Ralph D. Abernathy told tonight's meeting. "And we know," he added, "that nobody will ride the buses."

Mr. Abernathy, 29 years old, is the pastor of the First Baptist Church, where the meeting was held. He headed the negotiating committee that tried unsuccessfully to settle

the boycott that was organized Dec. 5. The boycott was a protest against the arrest of a Negro woman who refused to give up a seat in the white section of a bus.

"We're not trying to impress anybody with our strength," Mr. Abernathy said. "We just plan to demonstrate to the people who do not have cars that we're willing to walk with them."

Sixty-five per cent of the city's bus passengers before the boycott were Negroes. Since the boycott buses have plied the streets almost empty, while Negroes make their way to and from work in taxis, with the aid of a 300-car auto pool, or on foot.

As the Negroes waited for the meeting to start they sang, picking up the hymns that sprang to mind.

[fol. 810] When the leaders appeared at the rear of the church the audience stood and shouted and whistled and waved and cheered.

The program opened with a hymn—"Onward Christian Soldiers,"—and a prayer to God "not to leave us in this hour." The scripture was from Corinthians I—"If I have no love I count for nothing." And then they sang "O lift me up and let me stand on higher ground."

Rev. Martin Luther King, Jr., head of the Montgomery Improvement Association, which has directed the eighty-day boycott, told the gathering that the protest was not against a single incident but over things that "go deep down in to the archives of history."

"We have known humiliation, we have known abusive language, we have been plunged into the abyss of oppression," he told them. "And we decided to rise up only with the weapon of protest. It is one of the greatest glories of America that we have the right to protest."

"There are those who would try to make of this a hate campaign," the Atlanta-born, Boston-educated Baptist minister said. "This is not war between the white and the Negro but a conflict between justice and injustice. This is bigger than the Negro race revolting against the white. We are seeking to improve, not the Negro of Montgomery but the whole of Montgomery.

"If we are arrested every day, if we are exploited every day, if we are trampled over every day, don't ever let any-

one pull you so low as to hate them. We must use the weapon of love. We must have compassion and understanding for those who hate us. We must realize so many people are taught to hate us that they are not totally responsible for their hate. But we stand in life at midnight, we are always on the threshold of a new dawn."

His talk was followed by a prayer by the Rev. S. S. Seay, former executive secretary of the African Methodist Episcopal Zion Church—"A prayer for those who oppose us."

The Rev. A. W. Wilson, vice president of the Negro Alabama Baptist convention, brought greetings to the meeting from Negro Baptist throughout the state. "No other race but the Negro race," he said, "could smile as we [fol. 811] have smiled tonight, and sing as we sang tonight and get happy and shout as we have shouted tonight."

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT NO. 123

THE NEW YORK TIMES
THURSDAY, FEBRUARY 23, 1956

DEAN IS CRITICAL OF MISS LUCY'S BID

HE QUESTIONS HER INTEREST IN GETTING EDUCATION—CITES SWITCH IN STUDY FIELD

BY WAYNE PHILLIPS
Special to The New York Times

TUSCALOOSA, ALA., Feb. 21—The University of Alabama's dean of admissions gave his version of the Autherine J. Lucy case.

Dean William F. Adams, who originally rejected Miss Lucy's application for admission, said that he believed then and still did that she did not have a real interest in getting an education at the university.

The dean was the defendant in the court action that won the admission of Miss Lucy to the university on Feb. 1. She now is seeking a contempt action against him and other university officials. She charges that they acted in concert with mob violence to keep her from attending classes.

Dean Adams made his charges in an interview today. He asserted that the facts surrounding Miss Lucy's application in 1952 supported his view, but were not generally known. He denied, as has been reported, that she had been accepted by the university before it was known that she was a Negro.

Charges Called Ridiculous

Mrs. Ruby Hurley, a regional official of the National Association for the Advancement of Colored People, said [fol. 812] in Charleston, S. C., that the dean's charges were "utterly ridiculous." She accused him of trying to discredit Miss Lucy.

Dean Adams said that Miss Lucy and a friend who was graduated with her from Miles College, Birmingham, wrote to the university on Sept. 4, 1952, asking for application blanks.

In their letters, he added, Miss Lucy said that she wished to study journalism, and her friend Pollie Anne Myers, indicated an interest in library science.

The application blanks were sent to the girls on Sept. 6, the dean declared. At the same time, the regular university admissions procedure was set in motion. A letter was sent from the housing office, saying that they should send a room deposit if they wished living accommodations.

The regular procedure would have called for a form letter to go out from the president's office expressing general appreciation for the interest of the prospective students and offering assistance.

But, Dean Adams said, an error was made and instead a form letter was mailed that normally was sent only after an application had been accepted.

Source of Reports Noted

This letter, he said, expressed the president's good wishes over the fact the student had been accepted and offered to provide any assistance necessary in enrolling. It was this error, he added, that had given rise to the reports that the girls had been accepted sight unseen.

When the applications arrived in the mail on Sept. 19, 1952, Dean Adams declared, he found had exchanged the fields of interest originally stated in their letters. From the college transcripts enclosed, he said, he first learned they were Negroes.

The switch in fields between letter and application indicated to him, the dean asserted, that the girls either did not know what they wanted or that some one was engineering the applications and had made an error.

The day after the applications arrived, he said, the two [fol. 813] girls came to the campus to apply. The university's classes had been in session for a week, he added.

Dean Adams said that he had told the girls that he could not admit them because they were not qualified. He said neither had maintained a B average as an undergraduate, nor had they taken undergraduate courses indicating an interest in the fields for which they were applying.

If they wished to pursue undergraduate study, he said he had told them, they could get the same courses at Alabama State College at Tuskegee, both Negro institutions in Alabama.

From his office, the dean declared, the girls went with a group of Negro friends from Birmingham directly to the office of the Tuscaloosa News to report that they had been excluded on racial grounds. The case became a public issue.

"Autherine J. Lucy is not," Dean Adams asserted, "a poor little Negro girl who is just trying to get an education to better herself. If she were, all of this might have been different.

"But she never came here as an individual. It was always at the head of a delegation of lawyers, ministers and wealthy friends from Birmingham. No other student does that. Few of them even bring their parents."

Arthur D. Shores, lawyer for Miss Lucy, said in Birmingham that he had no comment on Dean Adams' charges, other than that "the applications the girls made speak for themselves."

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 124

THE NEW YORK TIMES,
SATURDAY, FEBRUARY 18, 1956.

TUSCALOOSA GETS A WHITE COUNCIL

1,000 ROAR THEIR DEFIANCE OF INTEGRATION —ALABAMA U. STUDENT IS A LEADER

By Wayne Phillips
Special to the New York Times

[fol. 814] TUSCALOOSA, ALA. Feb. 17—A rebel-yelling crowd of more than 1,000 persons roared defiance of racial integration today as they organized the West Alabama Citizens Council.

The crowd jammed the largest courtroom in the county courthouse and overflowed down the stairs and for a block down the street, blocking traffic.

It was a crowd whipped to fever pitch by the controversy over the Supreme Court's decision of integrated education. It was determined that the first breech in the wall of segregated education, the University of Alabama, would be closed.

At the meeting, as in the population of Tuscaloosa County, there were more workers than students, more farmers, than business men. But they were all there—overall-clad farmers, business men in conservative suits, burly industrial workers, and white-shirted university students—jammed together in a sweltering 85-degree room.

Stomp, Cheer, Yell

They stomped and they cheered and they clapped. They burst out with rebel yells and shouts of "hallelujah". The

stronger the statements of the speakers, the better the crowd liked it.

They heard a 19-year old university student, temporary chairman of the council, assure them that by working together "from the lowest county peanut politician up to the Governor the offices of Alabama will be filled with God-fearing men who believe in segregation."

They heard a State Senator declare that the Communists were advocating racial integration "because they know the South is one of the few places in which pure Anglo-Saxon blood exists, and as long as it exists they're going to have a fight."

They saw a white-haired and stooped veteran of the Spanish American War and World War I wave a tie bedecked with the Confederate Flag and declare "my hair is not too white to enlist with the white folks in this thing."

All the speakers told the audience that they were urging action within the bounds of Alabama law, as distinguished from Federal law, but they had praise too, for the recent violence at the University of Alabama.

[fol. 815] There a series of demonstrations drove out the university's first Negro student, Miss Autherine Lucy, after she had been admitted on a court order. She was suspended after the demonstrations that had pelted an automobile in which she was was riding with rocks and eggs and set siege to a building where she was attending a class.

The student who spoke was Leonard Wilson, a pre-law sophomore from Selma, Ala. He took a leading part in the campus demonstration and demanded that she be driven from the campus.

Calls Segregation the Issue

"There is something going on at the University of Alabama that I don't like," he said. "People are being told that segregation is not the issue. Segregation is the issue.

"If the rotten, wretched National Association for the Advancement of Colored People had not come to the South we wouldn't have this issue. Anything that did take place is the direct result of the meddling of the N.A.A.C.P. and

I say without fear of reprisal by the University of Alabama that I have not done a thing for which I am ashamed."

Jesse Hall, a landscape gardener who is temporary vice president of the council, declared:

"Our schools are created by your dollars, the taxpayers dollars, and we do not appreciate being branded as mobsters and rioters when we go out as Southern gentlemen on our own property to see what's going on."

State Senator Walter C. Givhan of Dallas County, Mr. Wilson's home county, came to address the meeting from an afternoon conference in Montgomery, the state capital, of leaders of the White Citizens movement.

He told them of that meeting's decision to unite the various community councils into an Association of Alabama Councils. He told them the purpose of the councils was to "protect our rights in the South."

The councils originated in Mississippi. Current membership is estimated at 50,000.

[fol. 816] The membership application used by the largest Alabama group, the Central Alabama Citizens Council, declares "I pledge myself to help defeat the N.A.A.C.P., integration, mongrelism, socialism, Communist ideologies, F.E.P.C. and one world government."

After the meeting tonight members were signed up in the newly formed council at a rate of $3 for annual dues. The West Alabama Council formed here tonight is the second in this county. A small council was formed Wednesday night by thirty persons in the town of Fosters, Ala.

They adopted a resolution calling on the Circuit Judge of the County "to call a special session of the grand jury to investigate all the circumstances pertaining to the admission" of Miss Lucy and "the part of the N.A.A.C.P. played in securing her admission.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 125

THE NEW YORK TIMES
FRIDAY, FEBRUARY 17, 1956

Alabama U. Head Decries Mob Rule

URGES FACULTY AND STUDENTS NOT TO LET NEW DISORDERS MAR INTEGRATION CASE

By Wayne Phillips
Special to The New York Times

TUSCALOOSA, ALA. Feb. 16—The president of the University of Alabama told a tense meeting of students and faculty today that "no great university can afford to defy the laws of the land."

A federal court decision that the university must admit Negroes, he said, is against the sentiment of the state, the personal beliefs of the university trustees and the deep convictions of many students and their parents.

But Dr. Oliver C. Carmichael told the convocation the university, having striven by all legal means to uphold the traditions of the South, must yield to the court's decree.

[fol. 817] "Obviously," he added, "society could not long endure if its institutions of higher learning should array themselves on the side of lawlessness."

Asks Ban on Mob Rule

Dr. Carmichael addressed the first meeting of students and faculty members since campus disorders drove out the university's first Negro student.

She is Miss Autherine J. Lucy. She was suspended by the trustees Feb. 5 after a mob had thrown eggs and rocks at an automobile in which she was riding, set siege to a building where she was in class and shouted threats to kill her.

"The fact that the trustees acted as they did," Dr. Carmichael said, "has given the erroneous impression that we have abdicated in favor of mob rule."

"You and I know this is not true," he told the students and faculty members, "but we must resolve not to permit such disorder in the future."

Miss Lucy has brought legal action to regain entry to the university. A hearing on her suit is scheduled in Federal court in Birmingham Feb. 29.

"What the decision now will be rests with the court," Dr. Carmichael said. "When it is announced I believe I can count on each of you, both faculty and students, to cooperate in such manner as to make certain that the University of Alabama will be on the side of law and order.

"If we play our part courageously and show to all the world that recent events do not represent the true University of Alabama we may early retrieve our rightful place in the esteem of all."

The students gave Dr. Carmichael a standing thirty-second ovation when he rose to address them. They listened intently, with solemn faces as he spoke in slow measured tones. When he had concluded they applauded for forty-five seconds.

The university had barred all photographers from the convocation, in an effort to prevent distractions. Several [fol. 818] photographers entered with the audience, however, and took pictures by natural light with small cameras.

Two photographers were taken into custody and their film confiscated. One was James Ralph Reid of Birmingham, a senior mechanical engineering student, who said he had not known of the ban. The other was George Tames, a photographer for The New York Times Magazine. He said he had taken pictures because he saw others doing so and did not wish to be scooped.

Mr. Tames was escorted from the campus and told not to return.

A picture of the meeting appeared this afternoon in The Birmingham News, it was distributed to other newspapers by The Associated Press.

The convocation was held in two sections because the university's Foster Auditorium could not accommodate all the university's 7,520 students and 400 faculty members at one time.

For the first session at 11 A.M. over 3,500 students and faculty members came through a pouring rain. They filled every seat and sat in the aisles and along the top of the balcony. While they were waiting music was provided by the university's Million Dollar Bank of 100 student musicians directed by Col. Carleton K. Butler.

When the program began James H. Newman, dean of administration, called on the students to stand and sing the National Anthem. They were led by Miss Pat Huddleston, who is Miss Alabama and a senior music student at the university.

Then Rev. Dubose Murphy, rector of Christ Protestant Episcopal Church, gave a brief prayer. He asked that God give those concerned the wisdom to "both perceive and to do the things that they ought to do" and the "power faithfully to fulfill the same."

Sun Breaks Through

President Carmichael spoke for fifteen minutes. When the closing applause had died away Dean Newman asked the students to stand in singing their alma mater song.

When they filed out of the auditorium the sun had broken [fol. 819] briefly through the overcast. "Literally as well as figuratively," a young faculty member remarked, "we went under a cloud and came out into the sunshine."

The second session of the convocation had an identical program. It was attended by the 2,000 members of the university's Army and Air Force Reserve Officers Training Corps.

Their applause was a few seconds shorter at the beginning and close of Dr. Carmichael's address. But otherwise their demeanor was as solemn and serious as that of the students in the first gathering. There was no noticeable levity by either group either on entering or leaving or during the program.

In his talk Dr. Carmichael said he believed the decision of the board to admit Miss Lucy "met with the approval of both faculty and students." He said he was "completely surprised and disappointed" by the protest demonstrations begun by the students and "later joined in by outsiders."

I am aware that it was only a small minority, 3 or 4 per cent at most, who were active in the demonstrations but many others followed along and gave active encouragement to the active minority," he said.

"I am convinced that even those who were active, and particularly the followers, were not aware of the issues involved," he said. "I have a deep conviction that the vast majority of you and your parents back home though opposed to integration, would not like to have our university choose the side of lawlessness."

Dr. Carmichael said he had been receiving complaints about the failure of the university to discipline those who had taken part in the acts of violence. A thorough investigation of the cases reported was being made, he said.

"I am sure that most if not all of you will agree that the university cannot escape this unpleasant responsibility whatever the difficulties may be in meeting it," he said. "I bespeak the understanding sympathy and support of all of you even those who may be found guilty."

There had been misgivings, he noted, about the decision [fol. 820] to suspend Miss Lucy, who has charged it was a subterfuge to bar her on racial grounds.

"The action taken was for her protection and for the protection of other students and staff members," Dr. Carmichael declared. "I declare to you now that this was the sole reason, whatever the critics may say.

"It was clear to those closest to the scene that a students' life may have been in serious jeopardy if she had returned to the campus and next day," he said. "If, through fear of being misunderstood, we should have allowed a tragedy to have occurred on our campus last week by failing to exclude a student from attending classes the blot on the name of Alabama would not have been erased in a century."

Dr. Carmichael spoke with a vigor he has rarely shown in the last few weeks.

Miss Lucy has been at Talladega College in Taladega, Ala., since Tuesday. She went there for a rest and is staying in a faculty dormitory. Dr. Arthur D. Gray, president of the college, said she had requested and been granted the use of the library facilities. She is not enrolled as a student there. He said she planned to stay

until the court hearing at the end of this month. Talladega is the oldest Negro college in Alabama.

(One Photograph Attached to Original.)

[fol. 821] TUSKEGEE CAUTIONS ON RACIAL TROUBLES

TUSKEGEE, ALA., Feb. 16 (UP)—The faculty of Tuskegee Institute expressed "grave concern" today over recent racial disturbances in Alabama and other Southern states.

The teachers of the Negro college, in a prepared statement following a meeting, noted that "the Constitution of the United States expresses the common aspirations and guarantees the rights of all citizens without regard to section or racial origin."

"It is our deeply held conviction that local action should be at all times consistent with the principles of the Constitution," they said.

It was the first public statement by officials of the college on recent racial incidents, including suspension by the University of Alabama of a Negro co-ed following demonstrations.

Two years ago Tuskegee stopped issuing annual reports on lynchings because of what it called improved race relations.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 126

THE NEW YORK TIMES
THURSDAY, FEBRUARY 16, 1956

STUDENT BEATEN, 2 NEGROES JAILED

Police Say Men Admit Attack on Alabama U. Youth—School Calls Meeting

By Wayne Phillips
Special to The New York Times

TUSCALOOSA, Ala., Feb. 15—Two Negroes were charged today with an unprovoked attack on a University of Alabama male student.

Police Chief W. C. Tompkins said they had admitted having no reason for the attack, but "just wanted to get even with somebody for the way they treated Miss Lucy."

Miss Autherine J. Lucy was the first Negro student to be admitted to the university. She was suspended on Feb. [fol. 822] 6 after three days of classes when a mob threatened her on the campus. A court hearing will be held Feb. 29 in an action she has brought in an effort to return.

The student who was allegedly attacked was Samuel Perrin Taylor, 19 years old of Tuscaloosa. He was set upon at 6:15 o'clock last evening as he walked through a Negro section just off the university campus. He suffered cuts and bruises.

The two men picked up by the city police were identified as Arthur Washington 23, a soldier on furlough, and his brother, John, who lived on the same street where the attack was said to have taken place.

They were held until this afternoon in city jail on a simple assault charge. Then, on the advice of County Solicitor Oline W. Zennah, the student involved swore out assault to murder charges. The two men were secretly removed from Tuscaloosa to confinement at an undisclosed place.

A third man, James Hall, was held as a material witness.

The first factual account of what had happened appeared in The Tuscaloosa News, which was published in the early afternoon. It printed the story on its front page under a two-column editorial headlined "Calmness Measures Intelligence."

The editorial declared "it would be the rankest injustice to blame all Negroes for an irresponsible act of an individual or a few individuals."

The university students and faculty have been called to a convocation tomorrow morning, the first since the trouble on the campus. Strong security measures have been imposed to prevent infiltration of the meeting by outsiders.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 127

THE NEW YORK TIMES
THURSDAY, FEBRUARY 14, 1956

ALABAMA U. TO MAKE HIGH COURT APPEAL

By Wayne Phillips
[fol. 823] Special to The New York Times

BIRMINGHAM, Ala. Feb. 13.—Attorneys for the University of Alabama announced today they would appeal to the United States Supreme Court against an order opening the school to Negroes.

The filing of the appeal, which they said would be made soon, would not affect the status of Miss Autherine J. Lucy, the first Negro student to be admitted under the Federal court order.

Miss Lucy was suspended by the university's board of trustees after her third day of classes on the ground that mob action against her presence was endangering her safety and that of others at the university in Tuscaloosa.

A week ago today a mob stoned and egged an automobile in which Miss Lucy was being driven between classes, and then set seige to a building where she was attending a course. She was taken out by the State Highway Patrol.

Andrew J. Thomas of the firm of Burr, McKaney, Moore & Tate, which is representing the university, said today that it had been decided to appeal to the highest court the injunction of Federal Judge Hobart S. Grooms forbidding the university to exclude a person solely on the grounds of race and color.

He refused to say, however, on what grounds the appeal would be made. Until the Supreme Court rules on the case, should it decide to consider it at all, the order remains in effect.

Decision by Court

The Supreme Court has ruled that tax-supported universities may not exclude persons solely because of race and color. This suggested the university's attorneys would challenge the order on some technical point.

The university already is facing two other legal actions brought by Miss Lucy's attorney, Arthur D. Shores, in the matter.

In one Miss Lucy has asked that the board of trustees be punished for contempt, contending that the grounds given for excluding her were a "subterfuge."

[fol. 824] In a second action Miss Lucy has asked an order restraining the university from denying her the use of university facilities, including dormitory rooms and dining rooms.

The United States Supreme Court ruled in 1952 that after a student was granted admission he might not be denied the use of college facilities solely because of race or color.

Miss Lucy has asked that the Federal District Court grant her $2,000 damages for her suspension and $1,000 damages for denying her living facilities. She also has asked that the board of trustees be jailed if they do not re-admit her.

Hearings in both actions have been set for Feb. 29 before Judge Grooms. The university must reply to her suit for living accommodations by Feb. 27. The reply is now being drafted, Mr. Thomas said, and will be filed soon.

Miss Lucy and Mrs. Pollie Ann Myers Hudson, a Negro friend who attended Miles College here with her, were accepted by the University of Alabama when they applied by mail. They were rejected when they appeared in person and were found to be Negroes.

They filed suit and on July 1, Judge Grooms issued an order restraining the university from excluding them or anyone from else solely on racial grounds. The university waited until they applied in September, and then asked Judge Grooms for a stay pending their appeal to the United States Circuit Court of Appeals in New Orleans.

Judge Grooms granted a four-month stay. Miss Lucy and Mrs. Hudson appealed this to the United States Supreme Court, which on October 10 set aside Judge Grooms' stay so far as it applied to Miss Lucy and Mrs. Hudson, but not in reference to any other persons.

Final Date to Register

The university then refused to admit them on the ground that Oct. 6 was the final date for registration. The university lost its appeal to the Circuit Court, which on Dec. 30 affirmed Judge Grooms' injunction. The court denied the university's application for a rehearing on Jan. 28.

The university then notified Miss Lucy that she had been [fol. 825] admitted, but refused to grant her living accommodations when she registered on Feb. 1.

The university notified Mrs. Hudson that she was being denied admission on the ground of her "conduct and marital record."

Mrs. Hudson had married since the original application was made, became the mother of a son and had filed for divorce. Mr. Shores sought a contempt order against the university on the ground that this was subterfuge for barring her, but then dropped the action after Miss Lucy was suspended, saying he wished to concentrate on her case.

'Agitators' Castigated

MONTGOMERY, Ala., Feb. 13—Gov. James E. Folsom today blamed the National Association for the Advancement of Colored People and "professional agitators" for recent campus riots at the University of Alabama in protest against the school's first Negro student.

"If the N.A.A.C.P. and professional agitators, with local professional help, would leave our problems alone in Alabama," Mr. Folsom said in a prepared statement, "we would be far better able to cope with them."

Debate is Called off

Special to the New York Times

TUSCALOOSA, Ala., Feb. 13—University of Alabama students called off a scheduled demonstration debate at this city's Negro college today.

They said it would not be wise to hold the demonstration they had planned at Stillman College, in the face of the

violence that had swept the University of Alabama campus of its first Negro student.

Four members of the university debating team were to have appeared this morning at Stillman College, on the opposite side of Tuscaloosa for a demonstration of a cross-examination debate. The 300 Negro students were told, however, that it had been canceled, "due to circumstances beyond our control."

[fol. 826] "After what has happened, if we were seen or heard at Stillman much of what we have been trying to do to restore calm here would be over, would go straight down the drain" said Dennis Holt, one of those who had been scheduled to appear.

Mr. Holt, a 21-year old Birmingham student and a former national championship debator, would have been particularly vulnerable. For he has taken a lead in condemning the disorders and the attitudes that had touched them off.

Telegram from Bunche

As a result of news reports of his activities he has received about sixty letters in the last week—most of them anonymous tirades—attacking his stand against segregation. But not all.

Ralph J. Bunche, Under Secretary General of the United Nations and a Negro, sent a telegram to Mr. Holt. He said the students' stand had "given eloquent testimony to the true spirit of the American tradition."

Willie Mays, Centerfielder of the New York Giants baseball team and a native of Bessemer, Ala., sent a letter of praise.

"It is incumbent for you younger generation of white boys and girls to repudiate this action at once," he wrote.

Mr. Holt is only one of many young students at the university who have come forward, since the disorders, to try to organize student opinion in support of accepting the court's ruling peacefully, whatever it might be and however disagreeable it might be.

Their efforts have taken the form of drafting and pushing through numerous campus organizations resolutions in support of these principles.

Now these students are trying to organize a full-scale public information campaign that will work through campus posters, label pins and illustrated pamphlets. They hope to time it to come just before Miss Lucy's return, should that be ordered.

The students have invested their own time, effort and money in such activities.

[fol. 827]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 128

THE NEW YORK TIMES Sunday, February 12, 1956

MISS LUCY'S EDUCATION: SEGREGATION TEST CASE

THE STORY OF THE NEGRO GIRL WHO HAS BECOME THE CENTER OF CONTROVERSY

By Wayne Phillips
Special to the New York Times

TUSCALOOSA, Ala., Feb. 11—The central figure in the outburst of mob violence at the University of Alabama this week is a 27-year-old Negro girl named Autherine J. Lucy, who wanted to come here to study library science. Modest and soft spoken, she has a ready smile and a knack for getting along easily with whites as well as those of her own race.

Miss Lucy, who is known to her friends by her less unusual middle name of Juanita, was born on a tenant farm in Marengo County, Ala., not far from Shiloh. It is in the middle of the South's Black Belt—called so because of its rich black earth, but with the added connotation that it is also the area of the highest Negro concentration.

In the South, where segregation is a way of life, Negroes do not become aware too early in life that it is racial discrimination, Miss Lucy doesn't recall when she first sensed racial prejudice.

"I don't remember anything like that when I was a child. My parents didn't talk to us about it." She says, when she did experience it, she says she wasn't bitter.

"I just felt it was one of those things."

Miss Lucy was the youngest of nine children, five of whom are living. She went through the tenth grade at the Shiloh junior high school, and then studied two years at the Linden Academy, a Negro public school in Shiloh. For another two years she attended a Negro junior college in Selma, and in 1949 she enrolled at the Methodist-supported Miles College in Birmingham.

[fol. 828] College Student

A serious student, and a good one, she lives with her older sister in Ensley, a suburb of Birmingham. She taught Sunday School and was a member of the First Baptist Church in that community. She likes to sing and she likes to read. She became a member of the National Association for the Advancement of Colored People in college but took no active role in that or any other groups.

Not so her friend, Pollie Ann Myers, who is three years younger. Miss Myers was active in the N.A.A.C.P. Youth Council in her home community in southwest Birmingham, helped to organize a chapter at Miles College, and became president of it.

Miss Lucy was graduated in the spring of 1952 with a B.S. degree in English and a teaching certificate. Miss Myers was graduated at the same time, and with a determination to register at the all-white University of Alabama to study journalism. She talked over her ambition with the officials at the regional office of the N.A.A.C.P. and asked if they would help her. She was told to apply, and assured she would get what help they could provide.

Miss Myers then approached Miss Lucy and asked if she would join with her in applying for admission to the university.

"I was startled at the idea at first," Miss Lucy said. "But I wanted to follow a library science course at a recognized university, and I finally agreed to do it with her."

The two girls submitted their applications that summer by mail, without any reference to their race. The applications were accepted, but when they showed up to register in September of 1952, they were refused admission.

Attorney Sought

It was then that they went to see Arthur D. Shores, an attorney with an office in the Negro Masonic Temple in Birmingham, a floor below the N.A.A.C.P. regional office.

While the case ground through the Federal courts Miss Lucy went to Carthage, Miss., where she had a job teaching English in a Negro high school. Miss Myers married Ed- [fol. 829] ward Hudson, and had a son. She is now seeking a divorce.

On July 1, 1955, Federal Judge Hobart H. Grooms finally ordered that the university admit the two women. When they applied last September, however, they were deferred for another four months by legal maneuvering. In the interim Miss Lucy worked as a secretary for the Booker T. Washington Life Insurance Company in Birmingham. The order finally took effect on Jan. 30, and the next day the university's dean of admissions sent curt notes to the two women.

Miss Lucy was told "under Judge Grooms' injunction order you will be accorded the right to enroll at the university and pursue classes thereat." Mrs. Hudson, however, was told that her application was refused because of her "conduct and married record."

First Reactions

At 10:15 A.M. on Wednesday, Feb. 1, Miss Lucy and Mrs. Hudson showed up on the campus to register. Mrs. Hudson was turned away and waited with three Negro friends who had come with them while Miss Lucy breezed through registration in 2 hours and 37 minutes—being whisked past lines of waiting white students into closed door offices by tight-lipped university officials.

The first hitch developed when she went to the office of Dean of Women Sarah Healy to register for a dormitory room. Then it was discovered that the board of trustees had specifically ordered that she not be given a room be-

cause it "might endanger the safety or result in sociological disadvantage of the students."

Miss Lucy called the room statement "somewhat pathetic, unreasonable and certainly not expected." She and the rest of her party left the campus declaring they would return to Birmingham to seek counsel."

On Friday Miss Lucy was to attend her first classes. A cold steady rain was falling. The air of tension was heightened at 8:50 A.M. when campus police took up stations throughout the corridors of Smith Hall and at its entrances. Miss Lucy arrived on the campus at 9:05 A.M. for her first class.

[fol. 830] Quiet Classes

She entered the first class at 9:08 and sat in the first row center. The row remained vacant. She wore a two-piece light orange outfit and a raincoat and hat. Don Hays, assistant professor of geography, took no note of her presence.

When she left the building at 9:30 she walked across the campus to Graves Hall. A policeman dogged her steps as students stood under the dripping eaves to watch her lonely progress. The other police went ahead by automobile and took up stations at Graves Hall. Inside she walked upstairs to the department of library science. In the classrooms other students this time sat in the same row, making no apparent distinction.

The student reaction that first day was that of curiosity. After her second class a co-ed came up and told her, "I wish you luck." Another said, "I hope everything turns out all right."

On Saturday when Miss Lucy again attended classes there was no police escort and no police were stationed in the hallways. Neither were there any incidents.

That night, however, there was a major basketball game in which the University of Alabama scored a rousing victory. Afterwards students massed before the Student Union Building and led by what the university officials labeled "a few inebriated fraternity men," started chanting, "Hey, ho, ho. Autherine must go."

Later the mob converged on the president's house. When the president, Oliver Cromwell Carmichael, appeared on the steps he was booed down. Finally, after milling about the campus, the mob dissolved at 1:10 A.M. in drizzling rain—after shouts to gather again on Monday when Miss Lucy would return.

Monday's Violence

When she arrived before Smith Hall at 9 A.M. on Monday a crowd of 300 persons, including night-shift rubber-plant workers and high school truants as well as university students, was waiting. She stepped through the crowd on the way to her geography class. They did not notice her and she apparently did not grasp the tenor of their feeling, [fol. 831] for she turned on the step and waved to those behind her.

While she sat in the geography class the mob grew and realized it had been thwarted in its attempt to pelt her with eggs and vegetables. A watch was set on the building's front and side doors. At 10 A.M. however, she was slipped out the back door by Jeff Bennett, assistant to the president, and into the automobile of Dean of Women Sarah Healy. As the car drove off ten to fifteen men splattered it with eggs, and one pitched a brick through the rear window showering glass inside.

The mob followed to Graves Hall, but she was inside before they arrived. The mob grew both in fury and intensity during the class hour remaining and grew to about 1,000 persons. She remained inside after the class was over with university officials and refused to leave. Finally at 1:15 P.M., while the mob still milled about the building, the highway patrol spirited her from Graves Hall to an automobile. She lay on the floor while a patrolman drove the car through the mob and to the office of a Tuscaloosa Negro newspaper.

There she rejoined her friends who had driven her to the campus and returned to Birmingham. That night the board of trustees suspended her until further notice.

Order by Judge

On Thursday Mr. Shores obtained an order from Judge Grooms that the trustees should show cause why they should not be punished for disobeying his order that Miss Lucy be admitted. He went much further though, and many Negro leaders feel that he went too far in the present situation. He filed a suit demanding living accommodations for Miss Lucy. And in a contempt request he accused the trustees of deliberately permitting the demonstration to create an atmosphere of mob rule. There was no danger, he contended, and Miss Lucy's exclusion was a subterfuge.

President Carmichael has announced that he expects that the Court will order her return and in that case he will do all in his power to insure her safety.

[fol. 832]

(2 Cartoons attached to Original.)

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 129

THE NEW YORK TIMES

SUNDAY, MARCH 11, 1956

TUSCALOOSA CALM NOW, BUT TENSIONS RUN DEEP

Lucy Case Has Created New Barriers In the South's Old Struggle

By Wayne Phillips
Special to The New York Times

TUSCALOOSA, ALA., March 10—The sunny calm of an early dawning summer spreads over Tuscaloosa and the campus of the University of Alabama. But it is an uneasy calm that could disappear as rapidly as a frost could blight the warmth.

The emotional storm that tore through the city over the presence of the first Negro student at the University of

Alabama has passed. Tempers are easing, there is time to think, there is a thankfulness that a head-on collision over the issue of segregation was so narrowly avoided.

But it will be a long time before the damage that the issue of Autherine J. Lucy did to race relations in Tuscaloosa is repaired. And it will be a much longer time [fol. 833] before the gnawing fear will die away that the issue will be revived and forced to a violent conclusion.

When a Federal judge ruled on Feb. 29 that Miss Lucy, who had been suspended after demonstrations against her, could return to the campus on March 5, the sense of impending disaster was over-whelming. The sentiment against her was so high, so inflexible, that it appeared the city must be plunged into a war in which she would almost certainly be killed, and probably others as well.

The thought of a great university reduced to martial law, turned into a military encampment to protect the aspirations of one against the convictions of many horrified even those who believed in the justice of her cause.

Relief from Tension

But within a few hours of the judge's actions the trustees of the university decided to expel Miss Lucy permanently, on the ground that she had accused them, in court documents, of conspiring with mob action to exclude her from the university because of her race.

The news of that expulsion as it spread through Tuscaloosa on March 1, left in its wake the greatest sense of relief the city has known since Miss Lucy first appeared here. Even those who sided with Miss Lucy thanked God that war and bloodshed had been avoided. Any action under the color of law that could avoid that would be welcome.

There were those, of course—a small minority—who felt that the action of the trustees, while welcome, was just a subterfuge and an evasion of the real issue. But among nearly all others, including the firmest believers in gradual integration of the races, there was a feeling that the trustees had found good grounds for their action and that Miss Lucy had been, at best, misguided in giving it to them.

That, at least, was the sentiment of the Tuscaloosa Council on Human Relations, a bi-racial group that held its second meeting on the evening of March 1. And it was the sentiment of a good part of the Negro community, as reflected in the comments of this week's issue of The Alabama Citizen, Tuscaloosa's Negro newspaper.

[fol. 834] Among others less favorable to Miss Lucy the thought was the same—but tied to jubilation and a sense of victory, rather than regret. These were those who by praising the "cleverness" of the trustees merely fed ammunition to those who condemned the board.

In the days since the departure of Miss Lucy to New York—another welcome source of relief—there has been a gradual relaxation. The sense of crisis that sparked the formation of a Citizens Council on Feb. 17 in the County Court House here and sent many citizens to the sheriff's office to apply for a permit to carry firearms has slackened.

Second Thoughts

Members of civic organizations have had a chance—and have taken advantage of it in their meetings—to sit back and take a sober look at what happened. The responsible leaders of the community have begun to ponder whether they lived up to those responsibilities in the period of crisis. There has been a gradual realization that the vast majority of the people of the city and the students at the university lived through the crisis without being directly involved in it.

One example was a meeting of the Episcopal Men's Club a few days ago. The members—business men, educators, professional men—called on Dr. Paul B. Foreman, head of the Sociology and Anthropology Department at the university, to explain to them some of the underlying community factors that led to the explosion over Miss Lucy.

The members were critical of the large number of letters on the issue that had been published in The Tuscaloosa News—letters from persons comparatively unknown in the town, which by their extreme tenor seemed but to add fuel to the flames. It was only gradually realized by those pres-

ent that they, as leaders, had a responsibility to make public their more moderate and level-headed opinions, even though not directly involved in the crisis.

There was a realization, too, that the crisis had affected everyone regardless of whether he was directly involved or not. Business had dropped off. The good name of the city had been smirched. The prestige of the university had been damaged. The uncomfortable glare of international [fol. 835] publicity had been both irritating and embarrassing.

Business Slumps

Retailers will not say how much business has slumped, but they admit that it has. And, further, they say that it was a slump that when checked against near-by areas did not appear to be part of any regional decline.

The name of Tuscaloosa, which six months ago would hardly have been recognized abroad, became a symbol of one of the seamier sides of United States life. A high school student who was traveling abroad wrote back to the Tuscaloosa News that wherever he went the admission that he was from Tuscaloosa was sufficient to attract a crowd of curious people anxious to question him about the ways of life in his home town.

Both students and members of the university faculty, many of them from the North, have been seriously concerned about what the incident may mean to them personally in their associations with others. "Will my degree be worth anything after this?" is a question raised by some students. The faculty members worry about the reaction within their professional associations.

Renewed Activity

The storm signals remain. The local chapter of the National Association for the Advancement of Colored People, dormant for years, is now campaigning for members in the Negro community. The Citizens' Councils are equally active among the whites.

The N.A.A.C.P. called its first meeting here in a long time on Feb. 13, just before the meeting that organized

the White Citizens Council. Although only twenty-five members were present at the meeting, held in the chapel of a Negro funeral home, they laid the plans for reviving the organization as rapidly as possible.

Although the Citizens Council has not held another public meeting in Tuscaloosa since its organization, it is still carrying on its membership campaign and now has more than 1,200 members. Membership blanks are on display on business counters here and there throughout the city —and a few are even set out beside the cash register at [fol. 836] the barber shop in the basement of the university's Student Union Building.

Recent Moves

There was a realization, too, that the crisis had affected everyone regardless of whether he was directly involved or not.

These activities, although carried on with less impetus than before Miss Lucy was expelled, are still fully strong to indicate that they could show a sudden spurt in a new crisis. Miss Lucy yesterday filed a motion in Federal Court asking an order that she be readmitted to the university next September.

The board of trustees is meeting tomorrow to consider disciplinary action against students involved in the demonstrations.

Either the Federal Court order for Miss Lucy's return —and no date has been set for it, a Federal Court hearing—or the action against students could touch off a reaction among the white population of Tuscaloosa and in the State Legislature. The veneer of calm is so thin no one can be sure of what could happen.

Despite this there are signs of a swing back toward the good race relations that characterized Tuscaloosa before Miss Lucy arrived. A downtown department store has begun adding the prefix Miss or Mrs. to the names of Negro women customers. The faculty of the University of Alabama last Saturday donated more than 400 books to the new library at the Negro Stillman College. Some white leaders of the business community joined in the Career

Day proceedings this week at that college. There are few signs of economic retaliation by Negroes against whites, or whites against Negroes, as in other Alabama cities.

University's Position

President O. C. Carmichael has said that the university would obey the law and admit qualified Negro students. What he did not add—but what was well known here—was that it would be a long, long time before this could be done peaceably.

It is only twenty-two years since, in the struggle with the Ku Klux Klan, National Guard machine guns held off the mob from the dingy, yellow court house where the [fol. 837] Citizens Council was formed last month. No one here, no matter how he feels on the race issue, wants to see that day come again.

(One Cartoon Attached to Original)

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 130

THE NEW YORK TIMES
SATURDAY, MARCH 10, 1956

MISS LUCY SEEKS FALL ADMISSION

BIDS COURT RULE EXPULSION BY ALABAMA U. ILLEGAL—LOST TIME IS CITED

By Wayne Phillips

Special to The New York Times

BIRMINGHAM, Ala., March 9—Federal District Court here was asked today to order the University of Alabama to readmit Miss Autherine J. Lucy for the semester beginning next September.

Miss Lucy, the university's first Negro student, was expelled Feb. 29 by the Board of Trustees because of what

it called "outrageous, false and baseless accusations" she had made in contempt proceedings against officials of the university.

[fol. 838] Miss Lucy alleged that the university officials had conspired with mobs to exclude her from the university because of her race. Her attorneys withdrew the charges after admitting that they could not be proved.

No date was set by Judge Hobart Grooms for a hearing on today's request that the expulsion be ruled illegal.

Miss Lucy was suspended by the trustees "for her own safety and that of others at the university," after a mob set siege to a building where she was attending classes and threatened to kill her.

Fall Admission Asked

Judge Grooms held on Feb. 29 that while the board of trustees was justified in suspending Miss Lucy on Feb. 6—the day of the mob action—she should be reinstated by March 5—the Monday after his ruling. But a few hours after his ruling the board met and "permanently expelled" her.

Arthur D. Shores, Miss Lucy's attorney, alleged in the motion filed today that "in the interim between the issuance of the order of Feb. 29 and the expulsion order of the board of trustees nothing new transpired or became known in this cause which would excuse failure to comply with the court's order."

He asked that the board's expulsion "be deemed a legally ineffective interference with the performance of a duty incumbent on the board under the court's order." However, he added:

"As a result of the conduct of the board, and because of the lapse of time, plaintiff has now been unavoidably absent from classes for several weeks of the present semester and therefore cannot effectively undertake the prescribed course of study for the semester."

He asked that the judge amend his order that Miss Lucy be admitted on March 5 to read that she should be admitted to the semester beginning in September, 1956.

Miss Lucy Firm on Views

Autherine J. Lucy, 26-year-old Negro who is seeking admission to the University of Alabama, said yesterday that [fol. 839] her future plans for education would depend on legal developments.

Miss Lucy said at a press conference that though other colleges in the United States and Europe had invited her to study there, she would prefer to get a degree in library-science at the University of Alabama.

"I was born and reared in Alabama," she declared. "The University of Alabama is a tax supported college. I feel I should be able to go to the University of Alabama and that other Negroes should have that right."

The press conference was held at 409 Edgecombe Avenue in the apartment of Thurgood Marshall, special counsel for the National Association for the Advancement of Colored People.

BOYCOTTED LINE CUTS ROUTES

MONTGOMERY, ALA., March 9 (UP)—The Montgomery Bus Lines, boycotted by Negroes for three months, obtained permission today to drop Sunday service on all but two of its fourteen routes. The announcement came in the fourteenth week of the citywide racial boycott, protest-segregated seating arrangements.

ALABAMAN URGES FOLSOM'S OUSTER

3,000 At Rally Cheer Demand by Citizens Council Leader—Retired Admiral Heard

SPECIAL TO THE NEW YORK TIMES

BIRMINGHAM, Ala., March 9—Three thousand persons at a rally here tonight cheered at a demand for the impeachment of Gov. James E. Folsom for failure to enforce racial segregation.

Asa E. Carter, executive secretary of the North Alabama Citizens Councils, climaxed a two-hour rally in the City Auditorium by distributing petitions calling on the State House of Representatives to impeach the Governor.

"He has willfully neglected his duty to respect and enforce the constitutional provisions, and state laws, dealing [fol. 840] with segregation of members of the white and colored races," the petition stated.

Although Mr. Carter's demand won a standing ovation from the audience that occupied little more than half the seats in the auditorium, there was no noticeable rush to sign the petition.

Mr. Carter attributed the slack attendance at the rally, which he had announced last Thursday after a Federal Court decision to return Miss Autherine J. Lucy to the University of Alabama, on "relaxation" of those opposing integration after the university's board of trustees expelled Miss Lucy.

Asks 'Bloodless' Revolt

The impeachment demand was the high point in Mr. Carter's call for a "bloodless revolution" to enforce segregation in the state against the encroachment of "atheistic anti-Christian, Communistic ideas of integration."

The rally was addressed also by Rear Admiral John G. Crommelin, retired, a candidate for the United States Senate seat of Lister Hill.

He told the audience that he was proud to be a member of the Citizens Councils and to endorse them. He charged that "Alabama is run by one of the most vicious political machines in history."

Confederate flags draped the City Auditorium where tonight's rally was held. A brass band was on hand and hundreds of new members were signed up in the anti-racial integration forces.

Tonight's rally at the auditorium, which seats 5,200 persons, was regarded as an important test of strength between the rival factions in the anti-integration movement in Alabama.

A rally on Tuesday night sponsored by the Montgomery organization drew about 2,000 persons to the State Fair Grounds.

Leonard Wilson, University of Alabama student who addressed the Tuesday rally, had been invited to be a guest at tonight's meeting, but had not been asked to speak. He failed to appear.

Mr. Carter attacked tonight what he called the political domination of the Association of Alabama Citizens Coun-
[fol. 841] cils set up in Montgomery, and declared that this political control meant compromise on the racial issue.

One of the requirements for membership in Mr. Carter's councils is "belief in the divinity of Jesus Christ." Officials of the Montgomery group have charged that this is anti-semitism, but Mr. Carter has denied it.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 131

STUDENT EXHORTS ALABAMA RALLY

ASSAILS UNIVERSITY OFFICIALS AND GOVERNOR FOR ROLES IN SEGREGATION ISSUE

By Wayne Phillips
Special to The New York Times

BIRMINGHAM, ALA., March 6—A University of Alabama sophomore told a cheering White Citizens Council rally here tonight that the university needed "A house-cleaning from top to bottom."

Leonard Wilson, pre-law student, who had played a leading role in the demonstrations against Autherine J. Lucy, shouted that "the officials at the university from president to janitor are your employes."

"I believe there are people at the university who are not worthy of your hire," he told the audience of more than 2,000 persons gathered at the State Fair Grounds. Mr. Wilson marked his twentieth birthday today.

Mr. Wilson read from news reports a statement by Dr. O. C. Carmichael, president of the university, saying that it would obey the law and would admit qualified Negro students as required to do so by the Federal courts.

"That's your employe talking that way," Mr. Wilson said. "We can't put up with our employes of the State of Alabama flaunting their disregard of the laws of Alabama."
[fol. 842] Mr. Wilson also attacked Gov. James E. Folsom for this position on the segregation issue.

"Much of our trouble in Alabama has been caused because we have not had the proper leadership from the Executive of Alabama," he said. "But your action has done much to wake up this possum up in Montgomery. I believe he is almost convinced he should be on the side of the white people."

Mr. Wilson once again shouted his defiance of the university, should it decide to discipline him for his outside activities on the race question.

State Senators Heard

"If they do kick me out I can go to 'Ole Miss—I am told the people of Mississippi have no prejudices against those who believe in segregation," he declared.

The meeting had been called by the Alabama Association of Citizens Councils. The association is opposed to another group of councils in this area that prohibits members of the Jewish faith from membership.

Former City Judge Hugh Locks of Birmingham presided at the rally. State Senator Waller C. Givham of Dallas County—the home county of Mr. Wilson—introduced the featured speaker of the evening, State Senator Jim Johnson of Arkansas.

Mr. Wilson arrived late at the meeting, however, and as a result he spoke last. Most of the attention was centered on him, in any event, because of his role at the university. No disciplinary action has been taken against him by the University of Alabama, although he has been identified from the first as a leader in the demonstrations that drove Miss Lucy from the campus.

Speakers tonight repeatedly called for unity in the anti-integration movement.

"What we want in this organization is all white people regardless if they are Catholic or Jew, as long as they are white men and women who believe in segregation," Senator Givham said.

"Let's don't have personalities, let's don't have petty [fol. 843] conflicts, let's don't have dual purposes," Senator Johnson said. "This movement is big enough for all faiths."

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 132

THE NEW YORK TIMES

TUESDAY, MARCH 6, 1956

WHITE COUNCILS SPLIT IN ALABAMA.

TWO FACTIONS DIVIDED OVER ANTI-SEMITISM —BOTH CALL FOR RALLIES THIS WEEK

By Wayne Phillips

BIRMINGHAM, Ala., March 5—Anti-semitism has split the rapidly growing White Citizens Council movement in race-tense Alabama.

Two factions have emerged, one based here and representing councils from Tuscaloosa to the Tennessee border under the banner of the North Alabama Citizen's Councils. The other, based in Montgomery, extends 100 miles south of there under the name of the Central Alabama Citizen's Councils.

The first group requires that its members "believe in the divinity of Jesus Christ" and contends the Jews should fight integration through other organizations. It includes in the current issue of its publication, The Southerner, an attack on the "Hadassah newsletter" for picturing a Negro and white child together.

The second faction, which operates in the area of greatest Negro concentration, issued a thinly veiled attack on the first group this week in which it declared that it "is not interested in religious bias or prejudice, but is concerned only in maintaining segregation."

Both Formed Last October

The northern organization was formed in October, 1955, by a filling station operator and former newscaster named Asa E. Carter. The southern group was organized in October, 1955, by local councils that had been springing up on the community level for more than a year. Both claim about sixty local organizations with about 60,000 members.

[fol. 844] In the Birmingham area are citizens councils affiliated with both factions, and it is here that the rivalry has come into the open with a call for separate rallies this week.

The Jefferson County Citizens Council, that is affiliated with the Alabama Association of Citizens Councils set up in Montgomery on Feb. 17, has called a rally at the Alabama State Fair Grounds here tomorrow night.

The North Alabama Citizens' Councils, that remained aloof from the state-wide group organized in Montgomery, has called a rally for Friday night at the Municipal Auditorium where it plans to open its own state-wide organization.

Center of Rivalry

In the heart of the rivalry is a clash of ambitions between the key leaders of both groups, State Senator Sam Englehardt, Executive Secretary of the Alabama Association, and Mr. Carter, executive secretary of the North Alabama group.

But the injection of the theme of anti-semitism is an ominous one in a state where the memory is still fresh of a Ku Klux Klan that welded together religious and racial prejudice, and in its fury turned on both whites and Negroes.

Mr. Carter has denied that limiting his group to Christians implies anti-semitism—"it is entirely demagogic to charge that we are anti-semitic," he said today.

Nevertheless, it was this implication of the Christian-only membership provision that Senator Engelhardt was aiming at in the statement he issued for the Alabama Association. It declared:

"We are determined to succeed in maintaining segregation in Alabama, and we shall not be led down any blind paths, or led into any unwise actions during this struggle.

[fol. 845]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 133

THE NEW YORK TIMES

SUNDAY, MARCH 4, 1956

MONTGOMERY IS STAGE FOR A TENSE DRAMA

NEGROES ADOPT A POLICY OF PASSIVE RESISTANCE TO SEGREGATION

By Wayne Phillips

Special to The New York Times

MONTGOMERY, Ala., March 3—For almost three months this city has been gripped by a phenomenon unprecedented in American race relations—a Ghandi-like passive resistance campaign waged by Negroes with religious fervor against the city bus lines.

Perhaps it is fitting that this most dramatic occurrence of the current race struggle—frustrating to the whites, inspiring to the Negroes—should take place in a city that is known as the Cradle of the Confederacy.

Certainly it is striking that the red brick church with small white cupola, presided over by the young Negro minister who is leading the protest, stands at the edge of the state capitol mall, almost at the foot of the long marble steps atop which Jefferson Davis took his oath as President of the Confederacy.

Montgomery was a city of only 8,000 persons then, the center of a rich cotton plantation area.

Today the city is still the trading and distribution center of rich agricultural country. But now the emphasis has shifted from cotton to the raising of fine beef cattle. Light industry has taken over sections of the city, Maxwell Air Force Base spreads out over former farm land on the city limits, and the population has jumped to 124,750.

Irritating Pattern

Forty per cent, possibly more, of that population is Negro. And among these Negroes one finds a crosspatch

pattern of irritants have been at work—irritants that finally reached a fever point early last December.

[fol. 846] There was the difficulty, for many of them, of making the transition from a rural to an urban economy. There was the frustration of being confined to the dirty and the low-paid jobs in that economy. There was, for those who could get an education, a closed-door to many fields—there are but two Negro lawyers in the city. And there was a constant goad of social segregation.

All of these worked on different people in different ways and were nothing peculiar to Montgomery. What was peculiar there was the presence in recent years of a handful of very well-educated, intelligent and young Negro leaders uncompromising in their opposition to segregation. The cumulative effect of incidents between the races brought all the other irritants to a head.

The stage had been set, then, for an explosion when on the evening of Dec. 1 a tired 43-year-old seamstress named Rosa Parks refused a bus driver's order to give up her seat to a white man. Mrs. Parks was arrested, jailed briefly, and released on bond. She is appealing to the State Supreme Court her conviction for violating the state's segregation law.

Boycott Begins

The protest movement against the buses, which began to snowball the day after her arrest, started as a one-day boycott of the buses on Dec. 5, when she appeared in court. It has been extended to the present time and might have happened no matter who Mrs. Parks was.

But it was certainly strengthened by the fact that Mrs. Parks was an intelligent, hard-working woman with a strongly developed conviction that segregation was evil, a leader in her church and one of the leaders in the local chapter of the National Association for the Advancement of Colored People.

The man who came to bail her out that evening was E. D. Nixon, a Pullman car porter she had known for several years and a former state president of the N.A.A.C.P. The lawyer who that night took over her defense was Fred D. Gray.

And by the next evening a meeting of about fifty leaders [fol. 847] of the Negro community was held in the church of Martin King, Jr., a 27-year-old Baptist minister, to organize a mass protest to be held on Dec. 5, after Mrs. Parks' court appearance.

Those of the first meeting disclaim the bus boycott idea. But from somewhere there appeared the day after they met an unsigned mimeographed manifesto appealing to the Negroes of Montgomery to refrain from riding the buses on Dec. 5, and to attend the mass meeting that night "for further instructions."

The full text of these appeals appeared in the Montgomery newspapers and their substance was broadcast over the Montgomery radio stations. As a result the one-day protest was almost 90 per cent effective.

Meeting Sets Stage

The stage had been fully set. The night of Dec. 5 the mass meeting jubilantly appealed to "all the citizens of Montgomery" to refrain from riding the buses until conditions were created that were satisfactory to "all citizens."

The leaders of the community, many of them Protestant ministers, who had laid the groundwork for the mass meeting contended that the protest against the buses had so snowballed that by that night they had no choice but to take the leadership in the movement, or see it turn toward open race struggle and violence.

The ministers are the natural leaders of the Negro community—for generations it has been the only profession fully open to Negroes. Their leadership had important influence on the development of that movement.

By emphasizing the Christian virtue of "love thine enemy" the boycott was made a mass movement of passive resistance—though it took months for the Ghandi similarity to be recognized. And by preaching the protests in their churches and of mass meetings they give it the dynamism of a religious crusade—bringing to bear the strongest emotional force in the Negro community.

Bus Firm Hurt

The protest, by denying the bus company about 65 per [fol. 848] cent of its income, hurt the company and to some extent the city to which it pays taxes. It did not directly affect most of the white people of Montgomery. But it did —by raising a specter of Negro revolt—irritate them. And the irritation grew with the stuborness of the boycott, and as its objectives grew larger.

At the very beginning the boycott could have been settled by revision of the segregation rules. The Negroes would have agreed to an arrangement whereby Negroes would be seated from the rear forward, whites from the front back, with no one having to give up seats when all were taken.

But a compromise proposal only a hair's breath from that was rejected because the Negroes and city officials could not get together. As a result the city officials washed their hands of any attempt to settle the problem, and the Mayor and city commissioners publicly enrolled in the white citizens councils.

Aimed at Laws

The Negro reaction was the filing of a Federal suit in late January by Mr. Gray and Charles D. Langford, the other Negro attorney in Montgomery, aimed at overthrowing the city and state segregation laws—and a swing of the boycott toward this objective.

The whites retaliated with the indictment of 100 Negroes for conspiracy to conduct an illegal boycott.

The mass arrests attracted the attention and sympathies of a large part of the world. And this, in turn, lent a new impetus to the protest movement. No longer was it fighting to overthrow segregation, now it was—in the words of Mr. King—"a battle for the oppressed people of the world."

When the bus protest began there were temperate people in Montgomery actively interested in bettering race relations. Some of them were brought together in the Alabama Council of Human Relations, the only interracial group in the state.

The executive secretary of that group was a white Methodist minister, the Rev. Robert Hughes. His assistant was Fred Gray. One of the leaders was the white minister [fol. 849] of a Negro Lutheran church—The Rev. Robert S. Graetz.

Shift from Middle

But Mr. Gray, a leader of his people, was gradually carried away from middle ground by the battle, so was Mr. Graetz. He believed in the justice of the Negro cause, and if he was to remain a leader in his own church he had to —and did—support it. The drift away from the middle that they represented, however, meant an immeasurable weakening of the moderates.

The disproportion in their strength is represented by the rally staged in Montgomery by the white citizens councils last month. Ten thousand persons jammed the City Coliseum to hear Senator James O. Eastland of Mississippi deliver a fiery defense of segregation. The next day the Alabama Council on Human Relations held its state-wide conference at the Negro Alabama State College in Montgomery. Two hundred persons were present.

City Situation

On the city level in Montgomery there is very little middle ground left. Mr. Hughes and others like him work desperately to retain what there is—but they are impotent now either to organize any mass middle movement, or effectively sway either side in the controversy.

Their only open path to work toward better relations has been to urge, and work for, the establishment of biracial commissions such as that proposed by Gov. James E. Folsom to the State Legislature this week.

If those commissions can be set up, if they can find leaders of both communities to take part in them, if they can compromise, and if they can sell the public on compromise, some good might come of them. But those are big ifs.

[fol. 850]

(One cartoon attached to original.)

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 134

THE NEW YORK TIMES

SUNDAY, MARCH 4, 1956

ALABAMA TO HEED COURTS ON TAKING NEGRO STUDENTS

But Carmichael Says School Still Opposes Integration—Backs Miss Lucy's Ouster

By Wayne Phillips

Special to the New York Times

TUSCALOOSA, Ala., March 3—Dr. Oliver C. Carmichael, president of the University of Alabama, said today the university would not violate the law by refusing to admit qualified Negro students.

However, he added that the university's officials still were opposed to integration, would probably resist the admission of Negroes, and would make a careful investigation to determine if any Negro applicants were clearly qualified.

Dr. Carmichael said he was "disturbed" by the view of some persons that the university's first Negro student, Autherine J. Lucy, had been "permanently expelled" as a means of circumventing a Federal court order that she be reinstated.

[fol. 851] He pointed out that the expulsion order stated that:

"No educational institution could possibly maintain any semblance of discipline if any students, whether they be black or white, guilty of the conduct of Autherine J. Lucy be permitted to remain a member of the student body after making such baseless, outrageous and unfounded charges of misconduct on the part of university officials."

Contempt Action Cited

This referred to the charges included in Miss Lucy's petition for contempt of court action against the university officials for suspending her on Feb. 6 after a series of cam-

pus disorders. She accused the officials, in effect, of having conspired with mob violence to exclude her on racial grounds.

The charges were withdrawn at the contempt hearings last Wednesday after Thurgood Marchall, general counsel of the National Association for the Advancement of Colored People told the Court that "we find ourselves without sufficient proof to sustain them."

Dr. Carmichael said today that "our action in the Autherine Lucy case does not mean thereby that we are going to keep all Negroes out.

"We are not going to violate the law in the case of qualified students," he said. "And if a student were fully qualified the board of trustees would not turn him down."

But he added that "we would resist, probably, and I'm sure we would make a very careful investigation to be sure such a student were fully qualified."

He pointed out that "in the case of Autherine Lucy she was admitted when there was no further legal recourse."

Miss Lucy was admitted to the university on Feb. 1 after winning a court action that began in July, 1953. Mrs. Pollie Anne Myers Hudson, who joined with her in the court action, was rejected at that time because of her "conduct and marital record." Court records have been revealed since indicating that she was, at the time of her application, pregnant and unmarried.

Miss Lucy was admitted under a court order of June 29, 1955, restraining Dean of Admission, William F. Adams, [fol. 852] from excluding her and Mrs. Hudson "solely on account of their race and color." On July 1, 1955, this order was amended to apply to "others similarly situated"—that is, all Negroes.

Dr. Carmichael said that no action had yet been taken in the cases of other Negroes who have applied for admission to the university. Several such applications for next fall are still pending.

They include four to the medical college of Alabama, and two for the school of dental hygiene, units of the university in Birmingham. Other parts of the university have received inquiries from Negroes but no formal applications.

If these applications are rejected the Negroes involved can petition the Federal court, under the order that admitted Miss Lucy, for contempt of court action against the university officials. But they would have to prove that rejection was solely the result of race.

Bills In State Legislature

A bill is before the State Legislature that would stiffen the entrance requirements of all state-supported colleges so as to exclude most Negroes. It would require applicants to submit affidavits from three alumni—in the case of white colleges, white persons—as to their "fitness and character."

There also have been proposed measures that would cut off the state's $350,000 appropriation for the Negro Tuskegee Institute and its $82,500 out of state scholarship fund should a Negro ever be admitted to a state-supported institution for as long as ten days.

The scholarship fund was established largely to assist Negroes in attending out of state institutions when they could not get the training they wished—such as for the law—at state-supported Negro institutions.

[fol. 853]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 135

THE NEW YORK TIMES FRIDAY, MARCH 2, 1956

UNIVERSITY OUSTS MISS LUCY BECAUSE OF HER CHARGES

ALABAMA TRUSTEES 'PERMANENTLY EXPEL' NEGRO CO-ED OVER CONTEMPT ACTION— SHE FLIES TO NEW YORK TO REST

By Wayne Phillips

Special to The New York Times

BIRMINGHAM, Ala., March 1—The trustees of the University of Alabama "permanently expelled" today Autherine J. Lucy, its first Negro student, whose reinstatement to the school had been ordered by a Federal court.

The board accused Miss Lucy of having made "outrageous, false and baseless accusations" in contempt of court actions against the university.

Miss Lucy, meanwhile, flew to New York for "rest, peace and quiet." She is expected to return to Alabama.

The white citizens councils in this area called a rally here for next Friday to propose a "solution to the (reinstatement) decision." This was one of the number of developments in the controversy.

Other developments were:

The State House of Representatives unanimously passed a resolution ordering Miss Lucy to appear Monday before a legislative committee to determine whether the National Association for the Advancement of Colored People was "directed or controlled by the Communists."

The State Senate unanimously passed a resolution calling on Congress to appropriate funds to move Southern Negroes to the North and Midwest—"areas where they are wanted and needed and can be assimilated."

A third resolution, in the House, demanded that the [fol. 854] president of the university publish the names of all students who signed a petition asking the readmission of Miss Lucy to the university.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 136

THE NEW YORK TIMES TUESDAY, MARCH 13, 1956

III. STATES RESISTING

ALABAMA

WHITE (68 Per cent) 2,079,591
NEGRO (32 Per cent) 979,617

By PETER KIHSS

Anyone envisioning an easy solution to the problem of ending race segregation might picture himself at the University of Alabama in Tuscaloosa on the sunny but chilly morning of Feb. 6.

Opposite yellow-brick Smith Hall stood a sullen crowd, 100 strong, many of them outsiders. Inside, by order of the Federal courts, was the first Negro student in the university's 125 years, 26-year-old Autherine J. Lucy.

Background: cross-burnings on recent nights, cars halted with cries of "Keep 'Bama White!" and now an intermittent chant that the girl's "gotta go!"

The university's reaction was to rush the girl by car to another class—just escaping glass fragments when a rock shattered the car's back window. Then the trustees bought time, suspending her to insure everyone's safety.

Her lawyer won another court action to reinstate her. Next the trustees "permanently expelled" her for "outrageous" charges against them in the suit.

Because of the Lucy case and the Montgomery bus boycott, Alabama stands today as a symbol of Southern resistance to desegregation. More than 2,000,000 Deep South whites and nearly 1,000,000 Negroes—paternalistic white tradition and rising Negro aspiration—confront each other. The one resents, the other invokes the pressures of Fed-
[fol. 855] eral law and economic sanctions.

In Montgomery, the state capital, buses used to handle 30,000 fares daily. For now the fourth month, thirty-five Negro ministers have led thousands of Negroes in a bus boycott. It started over the arrest of a Negro seamstress who had refused to surrender a seat under a bus driver's arbitrary right to re-draw the line between white and Negro places.

Negro economic strength—fused in a new Montgomery Improvement Association—converted the buses into "yellow ghosts." Buses were shot up in Negro districts the first week; two Negro leaders' homes were bombed; five Negroes then sued to upset bus segregation entirely; their lawyer was upgraded in the draft, and ninety leaders were indicted under an anti-boycott law.

Thus, between whites and Negroes, barriers are rising. Relatively few attempts at understanding are being made.

Shrines Reflect Memories of 1861

Amid such shrines as the statute of Jefferson Davis before the Capitol in Montgomery, where the Confederacy was born in 1861, the Civil War remains an emotional memory. People who survived Federal earth-scorching and carpetbagger rule—and people who lived in slavery—bequeathed their stories to men and women still living.

Many whites still see the Negro only as a family cook, nursemaid or yardman.

"I was taught he was under-developed, and it was our duty to look after him, help him with his problems," recalled Olin H. Horton, president of the American States Rights Association in Birmingham. "In the last few years Negroes have been pulling away from their white friends and going to some N.A.A.C.P. lawyers and Communists. • • • For the first time in my life I'm having to fight a feeling of prejudice."

John L. LeFlore, a Negro, thirty-five years a mail carrier, is executive secretary of the Mobile branch of the N.A.A.C.P.

"I sat in the smoker from Birmingham to Mobile until 11 o'clock, chatting with the whites," he said. "I wanted to show them we're not afraid."

[fol. 856] In support of segregation, White Citizens Councils started freely in October, 1954. Reacting to Negro prowess in the bus boycott and in court suits, though, the Councils this year have skyrocked in membership.

Sixty-one councils now claim 60,000 members. One held the biggest political rally in Alabama history on Feb. 10—15,000 attended in Montgomery. A statewide association was formed Feb. 17. City and county officials and state legislators have publicly enrolled. Council questionnaires on segregation are going to all May primary candidates. Such constitutions as that of the Dallas County Citizens Council propose to "promote good feeling" between white and Negroes, investigate complaints and maintain race separation "by legal and peaceful means."

Economic pressure is disclaimed. Many a white merchant with Negro customers is all too conscious that such

a weapon might be double-edged. In Dallas, signers of a school desegregation petition lost jobs last September, but a spokesman now calls this "purely spontaneous." Persons who "stirred up trouble" were "obviously incompetent," he said.

In Selma, the Rev. J. D. Hunter, a Negro and N.A.A.C.P. chairman, reports that ten of twenty-eight petition signers were dismissed. Nine more removed their names; eight were self-employed—but two barbers had to move their shop; only one jobholder went untouched.

Mr. Hunter, resolute, says his chapter still grows.

The two-year-old American States Rights Association crusades for segregation by "finding facts and giving them to those who can act," according to Mr. Horton, its president, a Birmingham insurance executive.

As of January, he reported 18,000 dues-paying members; a board of fifty-five prominent legislators, educators, lawyers, business men, manufacturers and clubwomen, and the spending of $35,000.

The association has circulated statistics on venereal disease, illegitimacy and crime among Negroes, and has put out pamphlets against intermarriage. It analyzes textbooks for "one-racism" and "subversion."

Circularizing anti-segregation excerpts from the 1952 Methodist book of discipline, Mr. Horton also helped start [fol. 857] an Association of Methodist Ministers and Laymen. Along with Alabama's two white Methodist conferences, this group is resisting moves to abolish the church's present segregated character.

On their side, Negroes have been organized in the N.A.A.C.P. mainly urban and intellectualled, and in local groups. Claiming 11,000 Alabama members, a rise of 3,400 in a year, the N.A.A.C.P. has sponsored thirteen county petitions to desegregate schools, carried on the university case, and now plans court suits on schools.

Negro leaders have been seeking to increase their share of Alabama's permanent personal registration for voting, which is perhaps 10 per cent.

Macon County, for instance, is 84 per cent Negro, the highest proportion in the nation. However, Macon's state

Senator Sam Engelhardt, estimates 2,200 whites are enrolled, compared to 1,000 Negroes.

In Macon, whites and Negroes this year have been able to register only one day—Jan 16—because the appointive county board of registers have been unable to muster the needed quorum of two out of three members.

Thirteen Negroes were accepted that day. The next day, a male member of the board resigned, citing business reasons. A woman appointee had never shown up, asserting that she had never accepted the appointment.

Dean Charles G. Gomillion, a Negro civic leader of Tuskegee, forecasts efforts to keep any other white person from serving.

Pupils Assigned by 15 Factors

By overwhelming votes, the legislature has been setting up road blocks against ending the school segregation required by the state Constitution since 1875.

A bill by Senator Engelhardt, enacted last Aug. 2, empowers local boards of education to assign pupils on the basis of fifteen factors, including "psychological effect" and "threat of friction." This is subject to court appeals only on Federal constitutional grounds. Parental objection would halt a pupil's assignment to any school "in which the races are commingled". Such a child then would be entitled to special aid.

[fol. 858] Then on Feb. 1 Alabama became the first state to adopt an interposition resolution. The Legislature termed the United States Supreme Court orders against school segregation "null, void and of no effect."

On Feb. 7 the Legislature submitted for an Aug. 26 voters' referendum a "freedom of choice," amendment to the state constitution. Senator Albert Boutwell of Birmingham, its author, said this would permit discontinuing the public schools under state power to protect the social order. State aid would be made available to persons or parents to send children to white, Negro or mixed schools.

On other fronts, the State Public Service Commission has asserted that state laws for segregated intercity travel still apply to all bus lines and intra-state railroad travel.

It has also held them applicable to inter-state travel on railroads not specifically cited in I.C.C. desegregation orders. It has further ordered "white" and "Negro" signs for waiting rooms.

Segregation Group in Mobile Failed

Recreation generally remains segregated. In 1954, Birmingham's City Commission sought to amend an ordinance so that whites and Negroes might join in professional sports. A Birmingham voters' initiative and referendum reinstated segregation—more than 2 to 1.

There have been some exceptions to the general hardening of Alabama sentiment. Mobile, the state's only seaport, has a cosmopolitan tolerant flavor; it is 20 per cent Roman Catholic and has a number of Jews.

In 1953, Mayor Joseph N. Langan won election despite a campaign scorning him for his answer to the question, would you like your daughter to marry a Negro? He has told the State Senate: "It is a person's privilege to marry anyone he wants."

Segregation, Mayor Langan thinks, does not mean much to Negroes "so long as it does not become a weapon of abuse." He has hired six Negro policemen. He brings Negroes into committees on such problems as traffic.

In the Mobile area, a segregation movement organized [fol. 859] soon after the Supreme Court decision in 1954 foundered in dissension over finances and an organizer's attacks on Jews.

At Mobile's Jesuit-run Spring Hill College, the Very Rev. Andrew E. Smith, the president, long felt scruples over segregation. He found that 60 per cent of the students had no objection to admitting Negroes. In 1952, Negro nuns entered the summer session. In 1953, a Negro attended night classes.

Since the Supreme Court's public school decision, Spring Hill has been open to all comers—1,000 whites and a score and more of Negroes peacefully attending for two years.

Federal schools at Maxwell and Craig Air Force Bases may legally admit Negroes, but in practice neither has any attending. So the only other Alabama school integration has been at Talladega College in the Blue Ridge foothills.

Since its founding primarily for Negroes by the Congregational Christian Churches in 1867, Talladega's charter has provided for educating anyone. In past years, there have been three or four white students at a time to have attended with 300 Negroes. This year a half dozen whites and a dozen Negroes have attended the college's grade school for faculty children.

The charter of Tuskegee Institute, founded by Booker T. Washington in 1881, proposes to educate colored youth, but does not bar whites. Almost since Tuskegee started a school in the much-sought field of veterinary medicine a decade ago, it has had white applicants—about a dozen last fall, none yet admitted:

EDUCATION TAKES MOST OF BUDGET

Alabama's Governor, James E. Folsom—6-foot-8 "Big Jim"—has been supported by Negroes, labor and the so-called "red-necks" of rural Alabama. He started his second term Jan. 17, 1955, after serving one term from 1947 to 1951.

The Governor has tried to focus attention on building up schools for all, and reapportioning a Legislature unchanged in back-county dominance since 1901. In a recent interview, he said he was trying to "be practical and do something about something."

But "when you start progressive measures, they immediately raise the cry of Negro and hate," he complained. [fol. 869] For the long run, he said, he is for Negroes' "having their rights."

"The only way I can see to give them rights," he declared, "is to give them the vote."

Governor Folsom lost a referendum last Dec. 6 by 4 to 1. In it he had urged a $110,000,000 school-building bond issue and a $29,000,000 income tax increase earmarked for schools. Whites voted against more taxes; Negroes also voted no, fearing segregation might be prolonged.

Education now takes 71 per cent of the $152,750,000 state budget. Dr. Austin R. Meadows, the Superintendent of Education, said Alabama started to equalize Negro and white schools in 1927. Gaps remain, Dr. Meadows said, "not due to discrimination, but to economics."

Whites and Negroes had virtually equal percentages of children aged 7 through 20 enrolled in 1954-55 school year (98.6 per cent and 99); equal school terms (176 days); almost equal classes (26.9 and 28 pupils per teacher) and similar salaries for teachers ($2,798 and $2,701).

But the state was spending only $107.66 to educate each Negro pupil—as against $128.16 for each white one.

Only a handful of inter-racial groups have been working in Alabama. For a year the Alabama Council on Human Relations has sought "equal opportunities for all people" through fact-finding and community action. Birmingham, Tuscaloosa and Selma have achieved some service gains for Negroes with interracial groups.

For the future, even the Rev. Dr. Martin Luther King, Negro Baptist leader in Montgomery, forsees no general mixing in Alabama schools "for a long time, not five years, nor ten years." It may come earliest where Negro populations are smallest, he says.

The Rev. Dr. John H. Buchanan of Birmingham, past president of the state's 600,000 white Baptist, asserts integration cannot be forced any more than was the Eighteenth Amendment, against the sale of intoxicating liquors.

"It has got to be worked out on a local level," he declares. [fol. 861] Dr. Luther H. Foster, president of Tuskegee, thinks any integration would really be "minimal," in view of segregated patterns of residence. But he says the No. 1 problem has become white-Negro communication—"you can't get a democratic process of discussion."

One hopeful step has recently been proposed by Governor Folsom: a state commission of whites and Negroes "to bring about peace between the races.

(One map of Alabama attached to original.)

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 137

THE NEW YORK TIMES

TUESDAY, MARCH 13, 1956

ALABAMA EXPELS STUDENT IN RIOTS

UNIVERSITY SUSPENDS 4 AND TAKES DISCIPLINARY ACTION AGAINST 20 OTHERS

By Wayne Phillips

Special to The New York Times

TUSCALOOSA, Ala., March 12—The trustees of the University of Alabama today expelled one student, suspended four, and took lesser disciplinary action against twenty others involved in the disturbances over the admission of the university's first Negro student.

The trustees acted at a secret midnight session after having met with the Governor yesterday afternoon to consider a report of a faculty investigation of the demonstrations against Autherine J. Lucy. Alabama law prohibits the transaction of legal business on Sundays.

[fol. 862] The decision was made public at 9:30 this morning when John A. Coddell, a member of the executive committee of the board, read the trustees' formal statement to newsmen in a television studio at the university.

While he was reading the statement, Louis Corson, dean of men, was reading it in his office to the expelled student, Leonard R. Wilson. Mr. Wilson was asked to come to the dean's office as he was about the enter a 9:10 A. M. class in business correspondence.

Leader in Action

Mr. Wilson who had made speeches in downtown Tuscaloosa, was a leader in the drive to keep the university white. The 20-year-old sophomore became the temporary chairman of the West Alabama White Citizens Council organized here after Miss Lucy had been driven from the campus.

The board of trustees did not make public the names of the other students disciplined. But it did publicize the resolution expelling Mr. Wilson "because of the wide publicity" given to his actions and charges.

The resolution on Mr. Wilson referred to "his unwarranted and outrageous public attacks * * * upon the integrity of the president and faculty and officers of the university" and said that these "represent far more than the mere exercise of his right freely to debate the question of segregation."

Mr. Wilson told reporters that he would hold a press conference to explain his position at 4 P. M. in the Student Union Building. A university official telephoned him later in the day and asked him to hold it elsewhere, but he refused.

The university then posted police at the entrances to the building, with orders to check the university identification cards of those who entered and to keep him out.

A crowd of 400 students congregated on the sidewalk in front of the building, where a month before they had gathered to jeer and threaten Miss Lucy, when Mr. Wilson made his appearance at 4:25 o'clock.

[fol. 863] He handed typewritten copies of a prepared statement to newsmen, and then read it for motion picture cameras while students in the crowd interrupted him with jeers, laughter and taunts. Mr. Wilson flushed slightly but ignored the good-natured heckling.

"I very strongly defend the parts I played in the recent campus demonstrations," his statement said. And he added that in his comments about Dr. Oliver C. Carmichael, president of the university, "I was exercising my freedom of speech in carrying a message to the taxpayers of Alabama.

"I am convinced that the people are not pleased with the situation at the University of Alabama," he said. "The thing to be done, as I see it, is for the people to contact their legislators and let them know how they feel."

For the present, he said, he would remain in Tuscaloosa and would continue to receive his mail—and here he spoke with special emphasis—"at the university, Alabama, post-office box."

Despite heckling from the crowd while he was speaking for the motion picture cameras and to reporters, many of Mr. Wilson's friends crowded about him afterward to congratulate him and wish him luck.

The board meeting at midnight in the Alumni House, adjacent to the Student Union Building, was only a twenty-minute session to go through the motions of formally approving decisions that had been thrashed out in the Sunday afternoon session.

Besides the twenty-five disciplined students, the statement said three students had withdrawn during the investigation of the disturbances, and would not be readmitted unless cleared.

TEXT OF ALABAMA TRUSTEES' STATEMENT

TUSCALOOSA, ALA., March 12—(AP) Following is the text of a statement by the University of Alabama Board of Trustees on disciplinary action today:

At a meeting of the board of trustees of the University of Alabama held on March 12, 1956, to consider the disci- [fol. 864] pline of students involved in recent disturbances at the university, action was taken permanently expelling one student, suspending four students and approving disciplinary action against a total of twenty-five students.

Three other students have withdrawn from the university and will not be readmitted unless after completion of the investigation their records have been cleared.

Investigation of other students will continue in the event of additional pertinent information.

It is not the policy of the university to announce disciplinary action taken against a student or to give out the names of students disciplined. However, an exception was made in the case of Leonard R. Wilson for the reasons stated in the resolution expelling him, which resolution is as follows:

Whereas the board of trustees has reviewed the activities of a student, Leonard R. Wilson, in the demonstrations and disturbances on the University of Alabama campus on the evening of Feb. 3 and 4, and on Monday Feb. 6, 1956, and

whereas the board of trustees has also considered his unwarranted and outrageous public attacks made since Feb. 6, 1956, upon the integrity of the president and faculty and officers of the university, and whereas it appears to the board of trustees that this student's conduct and charges represent far more than the mere exercise of his right freely to debate the question of segregation, now therefore be it resolved by the board of trustees of the University of Alabama that the student, Leonard R. Wilson, is hereby permanently expelled from the University of Alabama and be it further resolved that because of the wide publicity given to the actions and charges of Leonard R. Wilson, the University of Alabama makes an exception to its policy of not announcing disciplinary action taken against a student in that this resolution be made public through appropriate news media.

This action followed an extensive investigation of the facts made by a special investigating committee from the university, which investigation began on Monday, Feb. 6, 1956.

[fol. 865]

(One Photograph attached to original.)

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 138

THE NEW YORK TIMES

SUNDAY, MARCH 18, 1956

REPORT ON THE SOUTH: A SUMMARY OF THE NEW YORK TIMES SURVEY

(One map attached to original.)

[fol. 866]

EXTENT TO WHICH INTEGRATION HAS BEEN ACHIEVED: THE ATMOSPHERE IN DIFFERENT PARTS OF THE SOUTH

In last Tuesday's issue, The New York Times presented a special eight-page survey of what has been happening

in the South with regard to the Supreme Court decision of May 17, 1954, outlawing segregation in the public schools.

The survey was made by ten reporters assigned specially to the task. They were John N. Popham, Edith Evans Asbury, George Barrett, Clarence Dean, Gladwin Hill, Luther A. Huston, Peter Kihss, Seth S. King, Russell Porter and Damon Stetson. These reporters were assigned to various states in the South and spent five weeks investigating the situation, talking to leading citizens and to ordinary people.

What follows is a summary of the findings of The Times reporters. This summary deals with six major questions that emerge from the full report:

1. How much integration has there been?

2. What have been the patterns of compliance with and resistance to the Court's order?

3. What is the white point of view?

4. What is the Negro point of view?

5. What problems, social and educational, has integration brought?

6. When will integration be generally accepted?

These are the answers to these questions so far as they can be answered.

1.

How much integration has there been?

The degree of compliance with the Court's ruling ranges from complete defiance to complete implementation. Following are the states that have (1) made no progress at all, (2) made a token beginning, (3) made very substantial progress, and (4) completed the task.

NO PROGRESS: In eight states, not one Negro has been [fol. 867] integrated. These states are Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, Virginia. Furthermore, the Legislatures of five of these—Alabama, Georgia, Mississippi, South Carolina and Virginia—have

passed laws to thwart and contest the Supreme Court ruling with the obvious purpose (since the general expectation is that the laws will not survive court tests) of postponing integration by legal delays.

TOKEN PROGRESS: Arkansas, Kentucky and Tennessee have a few—very few—Negroes attending schools with whites. Texas has 10,500—but still only 5 per cent of its Negro students.

SUBSTANTIAL PROGRESS: Five border states—Delaware, Maryland, Missouri, Oklahoma, and West Virginia—have made considerable progress. In Maryland and Missouri, 80 per cent of the Negro students have been integrated; in Oklahoma, slightly over half; in West Virginia, two-thirds; in Delaware, 11 per cent.

COMPLETELY INTEGRATED: The school system of the District of Columbia is now completely integrated. Of the District's 169 schools, there are, however, twenty-seven that are still entirely white or Negro, or have no more than one white or one Negro. This is due to neighborhood racial problems.

WITH VARIATIONS

The over-all figures above do not always convey an accurate picture of the situation within a state—or the prospective situation.

For example, although only 313 of Kentucky's 38,760 Negro students were integrated last fall, next September Louisville plans to integrate, and most of the Negro population of the state is concentrated in that city.

Again, while not a single Negro has been integrated in North Carolina, four cities—Greensboro, Charlotte, Winston-Salem and Asheville—have indicated a willingness to begin integration.

A contrary prospect is offered by Maryland and Delaware. Baltimore's schools are integrated; Wilmington's will be next year. But on Maryland's Eastern Shore and a southern Delaware, integration is bitterly opposed.

[fol. 868] II

What has been the pattern of compliance with, and resistance to, the court's order?

From the outset it has been assumed that the percentage of the Negro population would be the prime determinant in compliance with, or resistance to, the Supreme Court ruling. Generally this has been true, not only as between states, but within each state.

Thus Missouri, where Negroes comprise 8 per cent of the population, and West Virginia, where they comprise 6 per cent, have been moving rapidly toward compliance, and have experienced almost no difficulty.

In Fayetteville, seat of the University of Arkansas, in the northwest corner of the state, Negroes are only 2 per cent of the population. There was no opposition when school officials decided to integrate Negro high school students who had been formerly sent to a Negro high school sixty miles away at an annual cost of $500 to $600 per pupil. The school superintendent said: "Segregation was a luxury we no longer could afford."

But in the Hughes school district in east Arkansas, a cotton-economy area near the Mississippi, the school superintendent said: "Forced 100 per cent integration would destroy the public school system * * * I would never let my two daughters attend an integrated school with two Negroes to one white."

But there are very important exceptions to this general rule. These exceptions indicate that—in some areas at least—there are other factors in compliance more important than the number of Negroes in the population.

CITIES DO WELL

The outstanding examples of progress to date are Washington Baltimore and St. Louis. Yet Negroes form 64 per cent of Washington's Public School attendance. 41 per cent of Baltimore's, 35 per cent of St. Louis'.

All three are border cities; they have ties with the North as well as the South; they are cosmopolitan; they are cen-[fol. 869] ters of industry (if the Federal Government is classed as an industry). During the war thousands of

Negroes got Government jobs in Washington of varying degrees of responsibility; they streamed north to work in Baltimore's shipyards and steel plants and in the manifold industries of St. Louis.

Some of the Times reporters believed that the improvement of the Negroes job and economic status had lessened white opposition to school integration. Thus, one reporter said in a memo to an editor: "Job-equality tends naturally to facilitate race-acceptance in other fields, through human contact and understanding."

This process will certainly be slower in the South, for there—with some exceptions—Negroes are still given menial jobs in factories.

Nevertheless, The Times reporters felt that generally the resistance to integration would crumble sooner in the cities than in small towns and rural areas. In part, they believed, this would be due to a larger, more metropolitan outlook, and a better educated citizenry.

But only in part. Many urban Southerners, they believed, would be finally reconciled to integration in law because they knew that, owing to residential patterns, most Negro children would continue to be concentrated in the same schools. This would be probably true of Atlanta, for example.

For the reverse reason, the opposition to integration in the rural back country is likely to be hard and long. Negro field hands and sharecroppers live close by white farmers. Under integration, their children would all attend the same county or district school.

Similarly the housing pattern of many cities and towns —Charleston, S.C., is a notable example—where whites and Negroes live on alternate streets. (a pattern dating back to antebellum days when slave quarters were in the rear of the big house) may make opposition to "legal" integration more durable than in cities where the Negroes are grouped largely in their own neighborhoods.

[fol. 870]

III

What is the white point of view?

There is some pro-integration sentiment—not merely resigned but positive—in the South. But not much. It is

found chiefly among the Catholic clergy (the Catholic Church has taken a firm position that segregation is morally wrong), among some Protestant ministers, social workers and those working in the various state Councils on Human Relations, which have been created by the Southern Regional Council.

These voices undoubtedly have had a moderating and leavening influence in the past and that influence will be increasingly felt—if (and that is a large if) the present tension is relaxed and outbreaks of violence can be avoided. But at the moment, most Southern advocates of integration speak softly when they speak at all.

THE EXTREMISTS

At the other end are the voices of racial hate. These voices do not all belong to the "red necks" and "wool hats" in the back country reaches. Some of them belong to men of means and position in town and city. These are the men who have repaired together in some of the White Citizens' Councils (though not all the White Councils are characterized by "yahooism"), and in such various organizations as "White America, Inc.," in Arkansas and the "Christian American Segregation Association" in Delaware, which has trappings of Ku Kluxism.

Most Southerners condemn this extreme element and its venomous racism. But the general feeling among the reporters was that its influence could unquestionably grow if tension in some areas degenerates into violence.

But on the assumption—an assumption which men of good-will on both sides of the Mason-Dixon line pray will be borne out—that reason will prevail, then the fate of the Supreme Court order will rest with that vast middle group of Southerners who do not want integration, will use every legal means to evade and delay it, but who deplore racism and rabble rousing, and fear violence. In this vast middle group are to be found many members of the more temperate Citizens' Councils and such groups as [fol. 871] the Federation for Constitutional Government and Patriots of North Carolina.

The doubts, hesitations, fears and opposition of this group were expressed this way by Russell Porter, who reported on Georgia:

"The viewpoint of these Georgiana is intellectually intersectional and international but emotionally Georgian. They recognize in their mind the need for social change, but in their heart and soul they cannot endure the actuality of breaking with ancient custom."

Repeatedly—in Mississippi's Black Belt and in the border states—The Times correspondents heard the same phrase, "We know integration is inevitable, but—"

The key to the temper of the South lies in that word "but."

The South—for several good historical reasons—is deeply conservative. Conservatism is a way of life dedicated to the belief that "the old ways are the best ways." Segregation is the old way.

Many moderate Southerners, who quite willingly concede that segregation may violate religious and political ideals of equality, still feel that, in this imperfect world, it is—as one Dallas lawyer said—"a sort of natural thing." And they resent a dictated change in "the Southern way of life."

PROBLEM OF 'FACE'

But the Times reporter at least felt that there was deeper, more profound reason for the refusal to move more quickly toward the "inevitable." This was a desire—perhaps unconscious—to "save face." This is how Gladwin Hill, who reported on Louisiana and Mississippi summed it up:

"These people are not so averse to changes in the segregation pattern as they are, subconsciously, to an embarrassing acknowledgment of a change in policy, to a tacit admission that to some extent the prevailing system has been wrong or at least obsolete. * * * But where this embarrassment can be avoided, these people tend to go along * * *"

In this unconscious desire to save face, in this way conscious determination not to be held up to judgment and rebuke by other sections whose treatment of the Negro they regard as "hypocritical or fraudulent," are to be

[fol. 872] found the reasons for the reiterated pleas of many Southerners, "Don't push us too hard."

IV

What is the Negro point of view?

Again and again, in talking with white Southerners, The Times reporters met with variations of "the Negro don't want integration—my cook told me." While this cliche was delivered with all sincerity, the reporters agreed it was—as one of them said—a sentiment "confined largely to cooks, if it exists at all."

If one thing was made clear in The Times survey it was that the generality of Negroes want an end to legal discriminations. The executive director of the Negro Chamber of Commerce in Dallas, Tex. said: "There is not a Negro alive who does not want first class citizenship."

The emphasis is placed on the words "legal" and "citizenship." Most negroes fully realize that the abolition of Jim Crow practices would not bring social acceptance by whites. They know equally well that because of housing segregation in most cities, school segregation will remain practically in effect. But it is the legal branding that burns most deeply.

One Negro in Little Rock put it this way:

"Negroes are still interested in their own institutions, their churches, their communities, their theatres. But * * * when I go downtown and want a cup of coffee I like to feel free to go into a restaurant and get it."

Another—an official of the National Association of the Advancement of Colored People—gave his opinion that:

"Once the stigma, the barrier is removed, there will be no rush (into white schools). Housing and choice will keep most people right where they are."

But beyond this legal recognition, the Negro hungers to be part of a larger community, to assume his responsibilities as a citizen, to participate in civic affairs and have some voice in them. Reporting from Mississippi, Gladwin Hill quotes a kindly white business man: "Why, every [fol. 873] Negro here knows some white person he can discuss his problems with." But Mr. Hill points out, this

paternalistic kindliness, however well meant, is blind to the Negro's need and desire. What the Negro wants is to be able to, in a representative group, "discuss things as simple as a leaky school roof."

But the Negroes of the South know very well that they will not be accepted as part of the civic community until the Negro educational level is raised. Despite the fact that many states are trying to equalize the physical school facilities, generally the money spent per Negro child is below that spent per white student. Therefore, the Negro sees in-legal integration the means to a very practical end —better education. A Florida Negro Ph.D., the executive secretary of the State Teachers Association, comprising 6,000 Negro teachers, said:

"we realize social change can't come overnight. However we don't want to wait until the year 2000. For the present, lower classroom standards might result from integration. It wouldn't take very long to catch up. Integration would stop Negroes from having inferior books, facilities and teachers."

PERSISTENT N.A.A.C.P.

The N.A.A.C.P. does not underestimate the strength of the opposition. But it is not dismayed. One N.A.A.C.P. official said: "We've had a long way to go. We've had to overcome a lot of apathy built among the colored over the years." The N.A.A.C.P. does not intend to let this apathy take hold again. Its officials impress on Negroes that integration is "their due and their duty."

The Times reporters everywhere found N.A.A.C.P. officials convinced, on the basis of experience, that the only way to meet the opposition was by direct attack. Over the past several years the N.A.A.C.P. has used court action to level, one after another, the legal barriers to equality. Its strategy now is adapted to the situation in each state.

Generally where a state has made a tentative beginning on integration, or set a time-table for doing so, the N.A.A.C.P. has been holding legal action in abeyance, giving the state every opportunity to show "good faith". But in those states bent on defiance or indefinite delay, the N.A.A.C.P. intends to press to court tests.

[fol. 874] V

What problems, social and educational, has integration brought?

Even the stoutest advocates of integration conceded that it might—at least in the early stages—create headaches for school administrators. There was, first, the possibility that racial intermingling would bring major disciplinary and moral problems. Second, there was the question whether, and how much, educational standards would be affected, since Negroes as a group are on a lower educational level than the majority of whites. Third, there was the problem of Negro teachers. Some of them would continue to teach in schools largely Negro; but others, if they were to be retained, would have to teach mixed classes. Could Negro teachers also be integrated?

On the basis of those states where there has been considerable integration, there are the answers—so far tentative—that The Times reporters found:

Social effects. Generally integration has been effected without trouble between Negro and white students. At the outset, there was a four-day strike of white students in half a dozen Washington schools and a flareup in several sections of Baltimore, but the protests and demonstrations collapsed against the firmness of civic authority.

In the Washington schools, Times reporter Luther Huston reported there had been little mixing so far in social situations. In cafeterias, for example, the two races have tended to sit apart. Although segregationists had expressed fears that there might be trouble at dances, these fears have not been borne out.

Educational standards. Whatever the reasons—lack of opportunity, poorer teaching, home environment, economic status—the fact is that Negroes are as a group, on a lower educational plane than whites. This has been established by repeated tests. For example, a survey of about 6,000 students in the seventh grade in Washington, D. C. showed 65 per cent retarded two or more years in reading and arithmetic. Three-fourths of the 65 per cent were said to be Negroes.

[fol. 875] Effect on Classes

Mr. Huston reported the feeling of Washington teachers that integration has slowed the pace of classroom teaching, with a consequent resentment of white parents. Many white parents, who can afford it, are sending their children to private schools.

However, Washington school officials believe that, by the very fact of integration that this lag will be largely eliminated in a few years, and that this progress can be speeded by reducing the size of classes.

Negro teachers. In Washington, Baltimore and St. Louis, Negro teachers have not been displaced by integration. Many are teaching mixed classes.

In other places, however, there has been considerable opposition to Negroes teaching mixed classes. For example, in Oklahoma, 150 Negro teachers have lost their jobs as the result of integration. In Missouri many Negro teachers have been dismissed.

Negro educators recognize the problem, but many of them are prepared to make the immediate sacrifice. The president of Kentucky State College, which has trained most of that state's Negro teachers, said: "I believe the same people who resisted integrating children and came to it will come to integrating teachers eventually."

VI

When will integration be generally accepted?

What is the end date on "inevitable?"

Obviously there can be no sure answer to this. Much depends on chance—incidents of violence could delay integration for years. Much depends on the politicians—their words can inflame passions or moderate them. Much depends on the influence of a younger generation in the South.

Depending on the states they visited, the degree of opposition they found, the people they talked to, The Times correspondents put various dates on "inevitable"—ten years, fifteen years, fifty years.

Despite the apparent intransigence in many states, some [fol. 876] of the reporters felt the segregation walls might

crumble sooner than expected or predicted. Following are two of those feelings as set forth in memos to the editor from reporters who covered areas where opposition was most determined.

The first writer reports:

"Segregation is bound to go because (1) its illogic is becoming increasingly apparent, with separation on street cars, but none in elevators, bank windows lines or stores; (2) its inequity is increasingly pronounced, with payment of substantial taxes by Negroes and then the expenditure of tax money on a one-horse-one-rabbit basis; (3) a multitude of economic squeezes make it too costly."

The second memo reads:

"I feel that in spite of the allegiance to the old ways, there is that vague something that tells you that integration is coming. I personally do not see it in terms of fifteen or twenty years. If something like the Lucy case breaks out, resistance will harden. But if the tide of integration keeps moving, then resistance may go with a quick, total collapse once the outer wall is cracked.

THE WHITE AND NEGRO POINTS OF VIEW ON THE ISSUE: ESTIMATES ON WHEN DESEGREGATION MAY BE ACHIEVED

(Two cartoons attached to original.)

[fol. 877]

(Two cartoons attached to original.)

(Map showing density of negro population attached to original.)

[fol. 878]

LEGAL BASIS FOR DESEGREGATION

The Fourteenth Amendment to the Constitution, adopted June 16, 1866, says in its pertinent section:

"No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any state deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

On May 17, 1954, the Supreme Court decided that segregated education was a denial of "equal protection":

"We must consider public education in the light of its * * * present place in American life * * *. We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities * * * may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does. * * * (It) generates a feeling of inferiority as to their status in the community * * *. Separate education facilities are inherently unequal."

On May 31, 1955, the Supreme Court issued this implementing directive to the Federal District Courts that first heard the cases which gave rise to the segregation ruling:

"While giving weight to * * * public and private considerations, the courts will require * * * a prompt and reasonable start toward full compliance with our May 17, 1954, ruling * * * the district courts * * * (will) enter such orders and decrees * * * as are necessary and proper to admit to public schools on a racially non-discriminatory basis with all deliberate speed the parties to these cases."

[fol. 879]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 139

THE NEW YORK TIMES

THURSDAY, MARCH 1, 1956

U. S. JUDGE ORDERS ALABAMA CO-ED TO BE REINSTATED

BIDS SCHOOL ADMIT MISS LUCY BY MONDAY—BARS CONTEMPT ACTION AGAINST TRUSTEES

CITES THEIR 'GOOD FAITH'

HE FINDS THAT REACTION WAS UNDERESTIMATED—NEGRO SAYS SHE WILL RETURN

By Wayne Phillips

Special to The New York Times

BIRMINGHAM, Ala., Feb. 29—The University of Alabama was ordered today to reinstate Autherine J. Lucy, its first Negro student, by Monday morning.

Miss Lucy, 26 years old, of Birmingham, was enrolled at the university Feb. 1 after a three-year court fight. She was suspended five days later after a series of campus disorders protesting her presence.

Federal Judge Hobart H. Grooms also vacated a contempt motion, sought by Miss Lucy, against the board of trustees and officials of the university. He said the trustees had acted in good faith in suspending Miss Lucy. If they had not done so, he ruled, "she might have suffered great bodily harm."

Miss Lucy sat tense and nervous today in the Federal District Court here as a succession of witnesses recounted the events leading to her suspension. Some said that if she returned to the campus she might be killed.

Feared for Life, she Says

She said on the witness stand that while she was a virtual prisoner in a classroom building held in a state of siege

by a howling mob outside, she feared that she might be killed. She said she had prayed.

With deliberation and occasional flashes of dry wit she [fol. 880] answered the questions of the university's attorney, Andrew J. Thomas. Beside her, when she sat at the counsel table, was a well-worn copy of the Bible.

After the hearing and the decision of Judge Grooms readmitting her, she said again that she would return to the campus.

"That girl sure has guts," her attorney, Thurgood Marshall, chief counsel for the National Association for the Advancement of Colored People said. He said, that as far as he or the N.A.A.C.P. which has been fighting her case, was concerned she could change her mind and back out at any time.

"All we have tried to do is to win her the right to go to school," Mr. Marshall said. "After that it's her baby."

Before rendering his decision Judge Grooms told the court:

"There are some people who feel that this court should carve out a boundary here in Northern Alabama, mount the battlements and from the ramparts defy the Supreme Court of the United States. That this court will never do."

Sentiment is Revealed

The strength of this sentiment in the state was shown only a few hours after the court ruling by a statement from Senator Sam Engelhardt, Jr., chairman of the Central Alabama Citizens' Councils who has a son who is a student at the university.

"I fear for the worst," Senator Englehardt said, "and I look for a whole lot of things to happen. The situation is even worse there than it was before."

He said he was considering drafting a resolution directing the Board of Trustees to close the university. He said, there was considerable support for such a resolution and it could be passed by a simple majority. The Legislature has already declared, in a resolution passed earlier this month, that the decisions of the United States Supreme Court on

integrated education are "null and void" in the State of Alabama.

Miss Lucy's suit seeking contempt citations against the university officials was made on the ground that her suspension had been on racial grounds and not, as declared, [fol. 881] for her safety and the safety of others at the university.

Judge Grooms disagreed with this. He held that the officials of the university had underestimated the reaction at the university and the fury of the mob. There had been no such reaction at other universities compelled to admit Negro students, and there was no reason to suspect that there would be such at the University of Alabama, he ruled.

However, he said "this court does not find that the law enforcement agencies are inadequate or unwilling to maintain order." He added that he was ordering her suspension lifted by 9 A.M. Monday.

At the start of today's court proceedings Judge Grooms rejected motions for separate trials for all of the sixteen defendants into the contempt action and for dismissal of the suit for living accommodations.

He also accepted an amended complaint by Miss Lucy's attorneys that omitted controversial charges of collusion between university officials and the mob to exclude Miss Lucy. These statements had greatly fired resentment here.

Mr. Marshall told the court that after investigation he had found the charges could not be substantiated. He said he was withdrawing them. Judge Grooms rejected Mr. Thomas' angry demand that the university be granted the opportunity "to disprove these scurrilous charges."

Judge Grooms also accepted Mr. Marshall's motion to dismiss the contempt actions requested against four persons not connected with the university, three of whom had been arrested in the disorders and are awaiting trial in Tuscaloosa City Court."

Miss Lucy had also filed suit against the university's Dean of Women, Miss Sarah Healey, asking that she be assigned living space at the university. The university's Board of Trustees had ordered that Miss Lucy be denied such accommodations.

Judge Grooms took his decision in this suit under advisement until Friday morning. Supreme Court decisions in the past have held that such accommodations may not be denied to students solely because of race.

[fol. 882] Gov. James E. Folsom and Dr. O. C. Carmichael, president of the University of Alabama, have both pledged that if Miss Lucy were to return to the university they would do everything in their power to maintain law and order.

In today's testimony Miss Lucy was the only witness appearing to support her request for contempt action. She testified to the facts of her suspension.

In cross-examination, Mr. Thomas sought to bring out that she was frightened and feared for her life on Feb. 6, to justify the trustees' action. This she admitted. After it had been repeatedly pressed Mr. Marshall angrily told the court: "Certainly, your Honor, we are perfectly willing to stipulate that she—as anybody else in those circumstances—was frightened."

Mr. Thomas was overruled in attempts to show that Miss Lucy's expenses had been paid by the N.A.A.C.P. But he did bring out that she had paid nothing for her legal expenses so far, had no agreement to pay for them and had received the funds to pay her university charges from a local committee.

The university, assistant to the president, called Jeff Bennett, Miss Healey and Henry J. Kikir, assistant to the Dean of Men, to recount the disorders on the campus as they had witnessed them. All testified that they had thought the mob would have injured Miss Lucy, and possibly killed her, had it been able to reach her.

Judge Grooms repeatedly ordered that statements by witnesses as to what they thought might happen if Miss Lucy be returned to the campus be stricken from the record. Nevertheless, several witnesses made it clear that they feared the worst.

John Caddell of Decatur, Ala., attorney and a member of the board of trustees, declared, "There just isn't any way to make her safe."

"I don't say it's impossible for her to come back," he said, "But if she does she almost certainly to come to bodily harm, and she'll probably be killed."

Judge Grooms is a native of Louisville, Ky., who came to Birmingham in 1926, immediately after graduating from [fol. 883] the University of Kentucky Law School. He was active in Alabama Republican politics and is a former chairman of the State G.O.P. Finance Committee. President Eisenhower named him to the bench in 1953—the first Republican judge appointed in this district since World War I.

N.A.A.C.P. AID CHARGED HUSBAND OF WOMAN BARRED BY U. OF ALABAMA CITES PAY

BIRMINGHAM, Ala., Feb. 29 (AP)—The estranged husband of a second Negro woman who tried to enter the University of Alabama charged today she was being paid $300 a month for the Advancement of Colored People.

Edward Hudson in an answer to the divorce suit of Mrs. Polly Ann Hudson called her an N.A.A.C.P. "guinea pig."

"The complainant is in the employ, or on the rolls, of the N.A.A.C.P. of the United States," said Mr. Hudson. "They are attempting to place her in the University of Alabama and she has ample support of herself and said child as given her by the N.A.A.C.P."

Mrs. Hudson was barred from the university on the grounds of her "conduct and marital record." She has asked a court order instructing the university to admit her to the school, but dropped the action without explanation Feb. 9.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 140

THE NEW YORK TIMES
WEDNESDAY, FEBRUARY 29, 1956

FOLSOM TO CALL SPECIAL SESSION

ASKS ACTION ON BIRACIAL UNIT AND SCHOOL FINANCES

By Wayne Phillips

Special to The New York Times

MONTGOMERY, Ala., Feb., 28—Gov. James E. Folsom said today that he would call a special session of the Legislature to consider school finances and his proposal for a biracial commission.

[fol. 884] The call will be issued tomorrow, he said. The Federal Court in Birmingham will start hearings then concerning the suspension of the first Negro student to be admitted to the University of Alabama at Tuscaloosa.

The student, Miss. Autherine J. Lucy, has brought contempt actions against university officials for suspending her after campus demonstrations. She also is suing to win living accommodations at the university.

University of Alabama attorneys filed motions today asking separate jury trials for all defendants in the contempt action and dismissal of the suit for living accommodations. There are sixteen persons against whom Miss Lucy is seeking contempt citations.

A long list of subpoenas has been issued ordering proposed witnesses to appear for the hearing. They include Jeff Bennett, assistant to the university president, Dr. O. C. Carmichael; Police Chief W. C. Tompkins of Tuscaloosa; the university police chief, Allen O. Rayfield, and Norman Bassett, editor of The Tuscaloosa News.

"There's a little case coming up in Birmingham that I'm just minorly interested in," the Governor commented wryly this morning at a session with members of a legislative interim committee that has been wrestling with school finance problems.

The Governor has had detailed plans made to protect Miss Lucy should Federal Judge Hobart H. Grooms order here reinstated. It is planned to divert all traffic and close off all roads into and out of the university, as well as to provide armed protection for Miss Lucy on the highway between her home in Birmingham and the university in Tuscaloosa.

Whether to call up a National Guard company or merely supplement local and university police with men drawn from other cities has not been decided.

The committee suggested this morning that a special session be called to implement its recommendations for closing the gap between a school budget of $111,000,000 and revenue estimates of $104,000,000. Concern was expressed at the meeting that the racial troubles in Alabama [fol. 885] might adversely affect state revenues next year, with a corresponding impact on school finance.

"I just don't know whether our economy will expand very much," Representative Rayn Degraffenreid of Tuscaloosa said. "There is another situation developing here, and the state may be retarded next year."

Folsom is 'Worried'

Governor Folsom also expressed concern that what the trouble could do to the state's campaign to attract industry. "We're all kind of worried," the Governor said, "on account of the unrest."

The difficulties have included the demonstrations at the University of Alabama, a twelve-week boycott of the city buses here, waves of economic boycotting of various products, near panic and violence may erupt in some areas, and the widespread organization of White Citizens Councils to defend segregation.

It was this situation that led the Governor to propose to a meeting of editors and publishers that a biracial commission be established to try to reconcile the difficulties.

"What do you think about including this biracial commission in the call?" The Governor asked the members of the committee this morning.

No one spoke against it and the Governor announced he would issue the call for the Legislature to meet "no sooner than Thursday and no later than Monday."

Senator Vaughan Hill Robison of Montgomery suggested that school matters be disposed of before any other subjects, and the Governor agreed.

There seems to be general legislative support of the Governor's proposed commission, which was backed unanimously by the editors. This support has come from legislators who are among the strongest supporters of segregation.

Among these is Representative W. L. Martin, a member of the committee that met with the Governor this morning. He failed yesterday to get the committee to demand the names of all University of Alabama students who had [fol. 886] signed a petition urging that Miss Lucy be readmitted to the university.

If the white people of Alabama continue to "give in and be compromised" on the race issue, he said, "we will have but three choices to make—sell our homes and get out of Alabama, be humiliated or take up our shotguns."

This morning he said, "I'm all for it" when the Governor asked his opinion of the biracial commission.

25 Members Suggested

Senator Sam Englehardt, Jr., president of the Central Alabama White Citizens Councils, has cooled, however, to the commission idea. At first he said "it might be worth a try." More recently he has said "it would undo everything we have been able to accomplish."

The Senator has indicated that as soon as the Governor issues his call for the special session he will make a statement opposing the inclusion of the biracial commission.

An interim committee of editors was named to draft plans for the commission, and it has suggested that it be composed of twenty-five members, one Negro and one white from each congressional district and seven from the state at large. The Governor has agreed to finance its expenses with $25,000 from his emergency fund.

Letters have been sent to the 127 members newspapers of the Alabama Press Association asking them to submit nominations for the commission by today.

Another Negro was arrested yesterday in connection with the bus boycott here. He was Richard S. Jordan, a 48-year-old Pullman porter who was out of the city during the mass round-up last week. The total arrested to date is ninety-one, with several indictments still outstanding.

[fol. 887]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 141

THE NEW YORK TIMES

SATURDAY, FEBRUARY 11, 195[illegible]

10,000 IN ALABAMA HAIL SEGREGATION

CHEERING THRONG AT RALLY—ORATORS URGE FIGHT WITHIN LIMITS OF LAW AND ORDER

By Wayne Phillips

(Special to The New York Times)

(One Photograph Attached to Original.)

MONTGOMERY, Ala., Feb. 10—Ten thousand stamping, cheering Alabamans jammed the State Coliseum here tonight for a mass denunciation of racial integration.

Waving Confederate flags, and rising to cheer whenever the band broke into the strains of "Dixie" their temper appeared far ahead of the orators who called on them to fight integration within the limits of law and order.

The principal speaker was Senator James O. Eastland, Democrat of Mississippi, a leader in the fight for states' [fol. 888] rights and against the Supreme Court's decision on integration. The audience heard him call for a Southern federation of states, backed by public funds, to bring the South's views to the rest of the country.

Earlier today, at Tuscaloosa, Dr. Oliver C. Carmichael, president of the University of Alabama, condemned what he called "untrue, unwarranted and outrageous" charges by a Negro woman student suspended by the university this week.

Miss Autherine J. Lucy had accused the trustees of deliberately permitting the mob outbursts on the campus on Monday as a subterfuge to oust her.

The crowd at tonight's rally lined up in the corridors of the huge auditorium to pay $3.50 for membership in the White Citizens' Council, sponsors of the rally. And they tossed heaps of coins and bills into cardboard drums set up at the exits.

Literature was passed out that included copies of a purported speech of a leader of the National Association of the Advancement of Colored People advocation of interracial marriage. The speech has been disavowed by officials of the N.A.A.C.P., but it is continually circulated at such gatherings in the South. Some of the reprints bear northern addresses.

The rally was the largest yet sponsored by the Citizens Councils, which were founded in 1954 in Mississippi.

In recent weeks in Alabama membership has leaped upward. Estimates of the number of persons now enrolled fluctuate from 12,000 to 60,000. The increase has largely been attributed to tension at the University of Alabama.

Mr. Eastland's speech failed to excite an audience that for a week now has been fired by the news of violence at the university.

The audience was a mixture of every strata of Alabama life. There were livestock farmers rubbing shoulders with city business men, taxi-cab drivers, teachers and students. Poor and rich alike, they all arrived with eager faces, enthusiasm high, like attendants at a religious revival.

Much more in the temper of the crowd was the brief [fol. 889] statement of Police Commissioner Clyde C. Sellers.

Mr. Sellers, a stocky, heavy-set man, began by saluting the Confederate flag, that stood beside the speaker's rostrum. The only American flag in the auditorium was one behind the semi-circular speaker's stand—flanked by two slightly smaller Confederate banners.

"If any Negro wants desegregation," Mr. Sellers said, "let him go where there is desegregation."

The crowd took up the chant, "Let him go, let him go," and there were shouts of "more, more." But Mr. Sellers

cut his talk short with the shout—"Let out battle cry be states' rights and white supremacy."

High Court Under Fire

State Senator Sam Englehardt of Macon County, chairman of the Central Alabama Citizens Councils, opened the rally at 7:45 with the cry that "segregation is an institution of the South we don't intend to see scrapped."

One after the other, the speakers denounced the decision of the United States Supreme Court outlawing segregation in the public schools. Robert H. Patterson, executive secretary of the Mississippi Citizens' Councils, referred to the date of the decision—May 17, 1954—as "black Monday."

Attorney General Eugene Cook of Georgia, picked up the theme and referred to it as the "mulatto decision handed down by the National Association for the Advancement of Colored People."

"This is the first time I have lost respect for the personnel intelligence and character of the United States Supreme Court," he told the cheering audience.

Senator Eastland, the concluding speaker, carried forward the attack.

"The people will not be subjected to judicial tyranny by a nine-man oligarchy that has departed from every precept of honor," he said.

"Anglo-Saxon law is the custom of the people," he said. "Corrupt decisions of a court do not change the law."

[fol. 890] His tie loosened, collar unbuttoned, one hand thrust in a side pocket and the other with fist upraised, he shouted:

"We must organize every county and every city and every community into a grass roots organization. Unless we organize in the South and unless we present a united Southern front we are going to be crushed.

"We have got to take the initiative. The Southern states must set up a regional commission and use public funds to present the South's side of this controversy before the bar of public opinion."

His talk was interrupted by shouts interpolated by the high spirited audience, some in praise of what he was saying.

"Where's Big Jim?" was shouted often—a reference to Gov. James E. Folsom of Alabama, Governor Folsom has disapproved of the activities of the white councils, and was not invited to take part in the rally.

Eastland Cuts Speech

The crowd had started to drift out of the coliseum even before Senator Eastland had finished his half-hour address. He discarded the last seven of thirty pages of a prepared address.

Mayor W. A. Gayle of Montgomery and several of the speakers tried to make the point that their demand for segregation did not mean discrimination against the Negro.

"Tonight we meet to re-dedicate ourselves to our way of life in the South," he said. "At the same time we want to maintain peace and harmony. We want all races to share and share abundantly in the good things of life. But we also want segregation."

Mr. Englehardt, at the close of the rally, told the audience to "go home peacefully and orderly and remember all citizens' councils will solve these problems peacefully and legally."

The auditorium is located five miles from the center of the city, on the opposite side of the city from the Negro quarter.

The city of Montgomery has been gripped since Dec. 5 by a Negro boycott of the city bus lines. There have also been bombing incidents involving the homes of N.A.A.C.P. leaders.

[fol. 891] Only passing references were made at the rally to the situation at the University of Alabama. Senator Eastland recalled that he was once a student at the university. And Mr. Cook recalled his states' legal battle to keep a Negro student out of its law school.

"We have so prepared ourselves so it won't be necessary for spontaneous protest," he said, "because we'll close the doors before he gets inside."

He was referring to a law empowering the Legislature to close the law school should the Negro student ever win admittance.

FOLSOM FAVORS 'COUNCILS'

MONTGOMERY, Feb. 10—Governor Folsom said today at a press conference that "nothing based on hate can exist for any length of time in a Christian democracy."

"I favor white councils, red and black councils," he declared. But he added that "I cannot lead this state if I base my thinking on hate."

(One Map Attached to Original.)

[fol. 892]

ALABAMA U. SAYS IT WILL OBEY LAW

SCHOOL HEAD ASSERTS CO-ED CAN RETURN IF COURT ORDERS— DENIES HER CHARGE

Special to The New York Times

TUSCALOOSA, Ala., Feb. 10—The president of the University of Alabama today condemned what he called "untrue, unwarranted and outrageous" charges by a Negro woman student suspended this week.

He also said that she could return to the university if a Federal court so ordered.

The student, Autherine J. Lucy, obtained a Federal court order in Birmingham yesterday for the university trustees to show why they should not be punished for contempt in ousting her from the university.

In her request for the order she charged that the trustees deliberately had permitted the mob outbursts on the campus as a subterfuge to oust her. She alleged the trustees were acting in concert with outsiders in creating the university disorders.

The rebuttal by Dr. O. C. Carmichael, university president, came today in his first press conference since the disorders at the university.

"From the time of the completely unanticipated demonstrations," he said, "officials of the university were in constant meeting, planning and carrying out plans to meet the critical condition."

Dr. Carmichael in the conference attended by forty newsmen, answered a list of written questions they had sub-

mitted in advance. He had previously denied all requests for a meeting with the press, although he had made some statements to individual newsmen.

Miss Lucy's court action, he said, meant that the matter must be decided by the courts. He added that the trustees would take no action to bring her back to the university until the courts ruled.

Federal Judge Hobart H. Grooms set Feb. 29 for a hearing on the contempt order. He also set a preliminary hearing for the same date for a suit brought by Miss Lucy against the university's dean of women seeking facilities on the campus.

[fol. 893] Dr. Carmichael asserted that should the court order Miss Lucy back on the campus he would do everything in his power to maintain order. He said he had been assured of assistance from state and local police authorities.

He also said the university would take disciplinary action against students who were known to have engaged in acts of violence.

Miss Lucy also named in her contempt proceeding four individuals not connected with the university but identified as participants in the rioting. One of them was a leader in the White Citizens Councils in Birmingham.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 142

THE NEW YORK TIMES

SUNDAY, APRIL 29, 1956

STUDENTS WEIGH SOLUTION ON BIAS

ECUMENICAL GROUP HOPEFUL OF EASING RACIAL TENSION by 'CHRISTIAN MESSAGE'

By John N. Popham

Special To The New York Times

TALLADEGA, Ala., April 28—A state-wide Student Ecumenical Conference to explore the possibilities of resolving racial tensions through "the Christian message of reconciliation" was started here today.

About 100 white and Negro students from ten Alabama colleges met at Talladega College. They discussed the formulation of methods that would enable students "to make a constructive expression of their sentiment concerning the social upheavals that challenge the Christian community."

The conference was an outgrowth of the Student Ecumenical Conference on the Christian World Mission held last December at Ohio State University in Columbus, Ohio. That meeting was attended by student representatives from eighty nations, including delegates from 506 campuses in this country and Canada.

[fol. 894] The Alabama session adopted the theme of the world-wide conference, "Revolution and Reconciliation." This was described as "the need to look closely at a world in revolution and determine the relevance of the message of reconciliation offered in Jesus Christ."

No Formal Sponsor

Today's Talledega meeting was not sponsored formally by a student organization. Instead, it resulted from informal work by Methodist, Baptist, Episcopal, Presbyterian and Lutheran student groups who have been concerned about the effectiveness of the Christian Church's mission.

The white conferees came from Alabama Polytechnic Institute (Auburn), the University of Alabama, Jacksonville State College, Birmingham Southern College and Southern Union College, The Negro students were from Stillman College, Miles College, Tuskegee Institute, Alabama State College and Talledega College.

The participants emphasized in panel sessions and discussion groups that a primary incentive for holding the conference was "the awareness of the measure of guilt which many Christian clergymen and laymen are experiencing in the face of recent racial conflicts in Alabama.

Two Themes Stressed

The students stressed repeatedly two central themes with respect to the "climate" of reaction that had resulted from recent incidents of mob violence. Those incidents included riots at the University of Alabama over the admission of

a Negro student, the Negro boycott of buses in Montgomery, and the physical attack on Nat (King) Cole, Negro entertainer in Birmingham. The two themes stressed were:

That the fears and prejudices marking such racial conflicts were deep-rooted in behavior patterns. Efforts to change attitudes in the Christian community would require "a deep study of the message of reconciliation" and would face a multitude of barriers.

That there were considerable indications that Christians in Alabama "are even now beginning to assert their adherence to belief in reconciliation through love of Christ." [fol. 895] Several of the students emphasized the "important discovery" that many students on the University of Alabama campus had rejected vigorously the "conduct of the mob."

The Rev. Dan C. Whitsett, pastor of the First Methodist Church in Syulacauga, told the conference that "strangely, there are many who ask that the voice of the church be silent about any discussion of the racial issue, but the same people never ask the politician or the spokesman for the White Citizens Council to be silent.

Dr. Arthur D. Gray, president of Talledega College, said that "the main issue of the church is to open the door of communication between white and colored people in the South."

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 143

THE NEW YORK TIMES FRIDAY, APRIL 27, 1956

NEGROES TO KEEP BOYCOTTING BUSES

MONTGOMERY MEETING VOTES TO CONTINUE PROTEST AS CITY FIGHTS INTEGRATION MOVE

By John N. Popham

Special to The New York Times

MONTGOMERY, Ala., April 26—A Negro mass meeting unanimously endorsed tonight the continuance of a boycott against this city's transit system.

Approximately 2,000 Negroes gave a standing vote in support of a formal resolution to "carry on our mass protest." This was in answer to recent declarations of Montgomery city officials that bus drivers or passengers who violated state or city segregation statutes would be subject to arrest.

The resolution stated that the five-month boycott would continue until there had been a "clarification" of the position taken by the city officials.

[fol. 896] The resolution also authorized the board of directors of the Montgomery Improvement Association, which is the organization directing the operations in the boycott, to "do any and all acts that it deems necessary to perfect our desires."

The Rev. Martin Luther King, Jr., president of the association, read the resolution to the crowd.

"We are always ready to do only the right thing and we can't afford to make any mistakes," he said.

The boycott leaders have declared that an "acceptable solution" would require the bus company to give "equal consideration" to Negro applicants for jobs and to put some Negro drivers on predominantly Negro routes.

They also have asked that in lieu of the "Jim Crow" custom of reserving certain rear seats for Negroes, the bus company adopt a policy of permitting Negro passengers to take any seats as they become available from rear to forward. Similarly, the white passengers would occupy any seats available from forward to rear.

The practical effect of such a seating arrangement would be to allow the allotment of seats among the races to occur pretty much in accordance with the racial pattern of the neighborhood in which the bus was traveling.

The participants in the mass meeting gave a thunderous vocal acclaim to the statement of the Rev. B. D. Lambert, made from the crowded floor, that "the Negroes of Montgomery will never go back to Jim Crow laws."

The resolution noted that on Monday the Supreme Court was reported to have outlawed segregation on intrastate public transportation in connection with a suit originating in Columbia, S. C.

It further stressed that in the last twenty-four hours there had been reports that buses had been desegregated in Richmond, Little Rock and Dallas "without mishaps."

The resolution then called attention to the fact that on Tuesday the bus company officials had instructed their drivers to cease enforcing city and state segregation laws and that the city commission had countered that they would "use all means available" to uphold such laws. The [fol. 897] city officials maintain that the Supreme Court ruling does not yet apply specifically to Alabama laws.

Mr. King told the mass meeting "we are grateful to the bus company for their stand and our action now is not aimed at putting the bus company out of business, but only at putting justice in business."

City officials and representatives of the bus company remained deadlocked today after a two-and-one-half-hour conference behind closed doors. They said that they had been unable to resolve their differences over the interpretations given to the present status of the segregation laws and would resume their conferences either tomorrow or Saturday.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 144

THE NEW YORK TIMES

THURSDAY, APRIL 26, 1956

BUS BOYCOTT FIRM IN ALABAMA CITY

MONTGOMERY OFFICIALS STICK TO SEGREGATION—UTILITY COMBATS THEIR STAND

By John N. Popham

Special to The New York Times

MONTGOMERY, ALA., April 25—This city's boycott by the Negro population of the local bus line remained constant today. The City commission continued to be adamant in demanding compliance with custom. And another round of maneuvers by spokesmen for the various disputants was scheduled for tomorrow.

The local controversy was heightened this morning by a press conference called by an executive of the transportation company that operates Montgomery bus lines.

B. W. Franklin, vice-president of National City Lines, Inc., the Chicago parent organization of Montgomery City Lines, Inc., which handles the local transit system, said his company would stand behind any of its Montgomery bus drivers who might be arrested for refusing to enforce [fol. 898] city and state segregation laws.

Mr. Franklin also said the company would stand by its order of yesterday that buses it operated in Montgomery and other Southern cities were no longer subject to segregation statutes in view of the Supreme Court ruling on Monday.

The City Commission, whose three members all belong to the White Citizens Council, an organization with an avowed aim of preserving the South's racial segregation traditions, soon issued a statement that the bus company would have to abide by city and state segregation laws if it continued to do business here.

The city officials took the stand that transportation segregation statutes were still valid locally. They held that the Supreme Court decision was binding only on the parties to the suit that originated in Columbia, S.C.

Mayor W. A. Gayle asserted that while the city's contract with the bus company said nothing about racial segregation it was the commission's belief that the contract could be canceled "if one party breaks any local laws."

Meanwhile, the Rev. Martin Luther King, Jr., one of the leaders of the Negro boycott movement, said that a mass meeting would be held tomorrow night to discuss the "future course" of the boycott in the light of the latest developments.

Late this afternoon it was reported in newspaper dispatches from Washington that there was some doubt among Government lawyers as to whether the Supreme Court ruling actually concerned an interpretation of the constitutionality of transportation segregation laws or whether it dealt mainly with a technical matter of appeal solely concerning the South Carolina action.

RACES MIX IN SOME BUSES

MONTGOMERY, Ala., April 25 (UP)—Negroes sat freely with whites on buses in some Southern cities today, but the same hard core of resistance that has delayed school integration kept the races separated in many others.

[fol. 899] Some cities in Virginia, North Carolina and eastern Tennessee, where faint beginnings have been made in integrated education, put up no varriers against first come, first-served seating. But in most of them, Negroes, continued to take seats toward the rear.

The unyielding segregation stand was found in South Carolina, Georgia, Alabama and Mississippi although bus lines serving some cities instructed drivers not to enforce segregation further.

Florida and Louisiana lately have taken position in the bank of unyielding Southeastern states. No change-over to integrated buses or schools was detected in Florida. All candidates for Governor in a heated campaign have trumpeted continued segregation.

Louisiana, which has made a start toward integration of graduate and parochial schools, was operating under the state segregation law on the question of public transportation.

Some negroes sat in the front with whites in Richmond and Norfolk, Va.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 145

THE NEW YORK TIMES
SATURDAY, MARCH 24, 1956

CONVICTION SPURS NEGROES' BOYCOTT

ACTION AGAINST MINISTER ONLY ADDS TO GRIEVANCES IN DISPUTE OF BUSES

By Wayne Phillips
Special to The New York Times

MONTGOMERY, Ala., March 23—Montgomery's Negroes have dug in all the more firmly because of the court con-

viction of their leader for conducting an illegal boycott of the city bus lines.

Far from having helped to break the protest, which is rounding out its sixteenth week, the conviction of the Rev. Dr. Martin Luther King, Jr. only has added to the long list of grievances on which the protest has fed.

[fol. 900] The judge, the circuit solicitor, the transportation superintendent of the bus company and the company attorney all left for a week-end of rest.

But the buses still traveled the streets today almost empty, while Negroes went to and from work in a well-organized car pool.

Dr. King was back at work as pastor of the Dexter Avenue Baptist Church and president of the Montgomery Improvement Association, which has directed the protest.

Meetings Stir Interest

The only change was the increased determination of the Negroes.

The enthusiasm of the Negroes has been sustained with the help of meetings that are conducted like religious revivals. Two are held each week in the Negro churches.

Great crowds turn out for them, filling all available pews, and sitting on steps, floors, aisles and window ledges.

Bus after bus moved today through Court Square in the center of Montgomery to take and discharge a few white passengers.

A few blocks away at a parking lot in the central down town pick-up station, carload after carload of Negroes came and went on a well-kept schedule.

Far out on the edge of Montgomery in an inconspicuous building named the Citizens Club was the operations center. There clerks answered telephones, directed automobiles to passengers who were not able to reach pick-up stations and kept the fleet of private cars running smoothly.

A battery of bookkeepers and secretaries worked at long tables handling correspondence, bills for gasoline and repairs, payments to drivers for the use of their cars, and the hundreds of details involved in running a public—and voluntary—transportation system.

The protest, as Dr. King had said it would, went on.

[fol. 901]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 146

THE NEW YORK TIMES MARCH 23, 1956

NEGRO MINISTER CONVICTED OF DIRECTING BUS BOYCOTT

By Wayne Phillips

Special to The New York Times

(One picture attached to original.)

MONTGOMERY, Ala., March 22—The Rev. Dr. Martin Luther King, Jr., was found guilty today of leading an illegal boycott against the Montgomery city bus lines. Circuit Judge Eugene W. Carter fined the 27-year-old Negro Baptist minister $500 and $500 court costs.

The fine and costs were converted into a jail sentence of 386 days because Dr. King chose to appeal rather than to pay the money. However, the sentence was suspended after the defense lawyers served notice of appeal.

Dr. King was released in $1,000 bond. The cases of eighty-nine other Negroes arrested in connection with the protest against the bus lines were continued pending appeal.

The protest began Dec. 5 over the arrest of Mrs. Rosa [fol. 902] Parks, a 43-year-old seamstress, for refusing to give up her seat on a city bus to a white person.

Nearly all of Montgomery's 50,000 Negroes have refused to ride the city buses since then. They have used a pool of 300 automobiles organized by the Montgomery Improvement Association, which is headed by Dr. King.

The protest movement went on without interruption or incident today. There was every indication it would continue to do so until some agreement was reached with the city and the bus company.

Arthur D. Shores, one of the eight lawyers who defended Dr. King in the four-day misdemeanor trial, estimated

that it would take three years for the case to come up in the Alabama Court of Appeals.

There was every indication that the case would go from there through the Alabama Supreme Court to the United States Supreme Court on the ground that the conviction violated the constitutional rights of Dr. King under the state and Federal constitutions.

The conviction was under a 1921 statute forbidding the hindering of a lawful business without "just cause or legal excuse."

There was no sign of emotion from the predominantly Negro audience as Judge Carter delivered his finding at 3:35 P.M. as soon as arguments were completed.

Judge Carter announced that he was finding Dr. King guilty, but would fine him only half the possible penalty because he had continually urged his followers to observe a policy of non-violence.

Prepared for the 'Worst'

"I was optimistic enough to hope for the best but realistic enough to prepare for the worst," Dr. King told those who gathered around him a few minutes after the verdict.

"This will not mar or diminish in any way my interest in the protest," the young minister said. "We will continue to protest in the same spirit of non-violence and passive resistance, using the weapon of love."

When Dr. King emerged with his wife at 4:30 P. M. there was a crowd of about 300 Negroes outside the courthouse. [fol. 903] As he appeared, the crowd applauded and shouts went up "Behold the king," and "Long live the king." The Rev. Ralph D. Abernathy one of the other defendants, called to the crowd:

"Don't forget the mass prayer meeting tonight."

"You gonna be there?" a Negro in the crowd shouted, and the gathering chorused back, "Yes."

"You gonna ride the buses?" the same Negro cried, and the crowd roared back, "No."

Dr. King spoke at the prayer meeting, which was held in the Holt Street Baptist Church. This was the scene of the mass meeting at which it was decided to extend a

spontaneous one-day boycott until the bus company bettered conditions.

"This conviction and all the convictions they can heap on me will not diminish my determination one iota." Dr. King said. "God is using Montgomery as his proving ground, and maybe here in the Crade of the Confederacy the idea of freedom in the southland will be born."

The 2,000 Negroes who crowded the church and overflowed on to the street outside, whooped and shouted and clapped at his declaration that the "protest is still going on."

Dr. King's lawyers presented nine witnesses this morning in a parade of thirty-four who told of verbal abuse, discourtesy, threats, shooting and other mistreatment at the hands of drivers for the bus company.

Circuit Solicitor William F. Thetford presented six bus drivers as rebuttal witnesses. All testified that they were courteous to Negro passengers.

Judge Carter, who has been on the bench for twenty-one years, teaches the men's monthly Bible class at the Dexter Avenue Methodist Church, almost across the street from Dr. King's church.

The judge is a member of the official board of the church, and as such concurred in a recent decision by the board that Negroes who came there should be asked to worship in their colored churches.

In World War I he served as a first lieutenant in the [fol. 904] infantry. He is a Mason, a Shriner and a member of the American Legion.

LEGISLATORS ACCUSED

FOLSOM SAYS RACIAL STAND IS VIOLATION OF OATH

MONTGOMERY, Ala., March 22 (UP)—Gov. James E. Folsom charged today that the Alabama Legislature "collectively and individually" violated its oath to the United States Constitution by passing a resolution declaring the United States Supreme Court's anti-segregation decrees null and void.

Mr. Folsom told a news conference that "the only way an elected official can be relieved of his oath to the Constitution of the United States is by a constitutional convention."

"Until the people say otherwise, I'm going to uphold my oath to the United States Constitution, come hell or high water, he said.

"The Legislature has violated its oath to the Constitution, and now it should be heard by the people," says Mr. Folsom.

AUTHERINE LUCY TO WED

SHE IS IN DALLAS PLANNING HER MARRIAGE THERE APRIL 22

DALLAS, MARCH 22 (AP)—Miss Autherine Lucy, the Negro student expelled from the University of Alabama after campus racial riots, was in Dallas tonight making plans for her marriage to a young ministerial student.

The Rev. Ernest Estell, pastor of St. John's Baptist Church of Dallas, said the Birmingham secretary and the Rev. H. C. Foster would be wed in his church April 22. Mr. Foster is a social science student and studying for the ministery at the Negro college at Tyler, Tex. He and Miss Lucy were classmates in a college in Alabama.

[fol. 905]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 147

THE NEW YORK TIMES

MONDAY, DECEMBER 24, 1956

SHOT HITS HOME OF BUS BIAS FOE

MINISTER WHO LED BOYCOTT IN MONTGOMERY TELLS OF NIGHT SHOTGUN ATTACK

By George Barrett

Special to The New York Times

MONTGOMERY, Ala., Dec. 23—A shotgun blast was fired early this morning into the home of the Negro minister who led the successful fight to abolish racial segregation on Montgomery's buses.

The Rev. Martin Luther King, Jr., said that he and his family had been asleep when the shotgun pellets pierced the front door at about 1:30 this morning.

The Kings live in a small bungalow in an upper middle-class Negro section. The house was the target of a bomb several months ago.

This morning panes of glass were shattered, but the damage was slight and no one was hurt. Mrs. King said that she had looked out over the front lawn, where floodlights have been shining since the integration fight started here a little over a year ago, and had seen a taxi turning around at the corner.

Dr. King's policy of non-violence has set the pattern for the Negro community in the struggle for bus segregation, made no report to the police.

His disclosure of the shooting was in keeping with his campaign for understanding and love between Montgomery's whites and Negroes and with his pleas to the community's 50,000 Negroes always to turn the other cheek.

New Struggle Planned

Meantime, at a rally held tonight at one of the Negro churches, to commemorate the victory in the bus battle,

Dr. King told several hundred persons that the fight for racial integration would be extended to the public schools and recreation areas here.

[fol. 906] "We cannot rest in Montgomery until every public school is integrated," Dr. King told a quietly jubilant audience.

He predicted that some of the white people who had supported the battle to integrate the buses would turn against the Negroes on the school fight. But he stressed that the Negroes had to wage battle for the principles upheld by the Supreme Court.

At his regular Sunday morning service at the red brick Dexter Avenue Baptist Church, Dr. King softly and without emotion told his congregation about the shooting.

He included the shooting announcement among others about the need for Christmas baskets for the poor—both white and Negro—and the plea to make sure that those who were sick would not go unvisited.

He told his congregation that he would have liked to meet those who had done the shooting to tell them that surely they must know they could not solve problems that way. Still without raising his voice, he said he would have liked to point out that even if he were killed his attackers would have 50,000 other Negroes to "get."

Dr. King went on to say that as the walls of segregation continued to crumble in the South "it may be that some of us may have to die." But he called on his congregation never to falter, never to forget that in the midst of changes in life, of chances in man, even "if the stars no longer bedeck the heavens," God's love for all things and for all men would continue.

There was no stir in the congregation, no sign that anyone was surprised.

They said virtually all the other Negroes in Montgomery have subscribed to Dr. King's rule to practice Christian love in their everyday conduct. After their pastor's announcement of the attack, the congregation calmly picked up the hymnals and sang "Silent Night, Holy Night."

Montgomery's Negroes have been riding on desegregated buses for three days without a major incident. Dr. King

suggested that there was a higher law than the South's insistence that the Negro "keep his place."

"The glory of God that puts man in his place will make [fol. 907] brothers of us all," Dr. King declared.

In Birmingham, Negroes have announced their resolve to sit where they choose in that city's buses.

The Rev. F. L. Shuttlesworth, pastor of the Bethel Baptist Church there and head of the Alabama Christian Movement for Human Rights, said that "some" Negroes probably would sit in seats reserved for whites starting Thursday.

The Negroes have served notice on the City Council there that they intend to challenge segregation.

The expectation is that the Council, which meets on Wednesday, will contend that Birmingham is not affected by the Supreme Court ruling.

Mr. Shuttlesworth predicted that the first Negro who attempted to sit in the front of a bus would be arrested. He said that after the arrest their legal battle to desegregate Birmingham's buses would begin.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 148

THE NEW YORK TIMES

SUNDAY, DECEMBER 23, 1956

WHITE DISSIDENTS STIR BUS CLASHES

SOME INCIDENTS ATTRIBUTED TO A MONTGOMERY PLOT BY SEGREGATIONISTS

By George Barrett

Special to The New York Times

MONTGOMERY, Ala., Dec. 22—The number of white passengers riding Montgomery's newly integrated buses increased today. However, there were signs that some white supremacists were trying to incite racial fights to "prove" that Jim Crowism must still be maintained in practice—if not by law—on the local buses.

This was the second day that Montgomery's buses ran on a desegregated basis, following a direct order from the Supreme Court. The mood of general unconcern over the issue was reflected in the way whites and Negroes mixed [fol. 908] almost without incident as they took the buses to town for Christmas shopping.

But the phrase "almost without incident" contains the real danger that confronts Montgomery as each day passes with no public outcry against desegregation. Small groups of white segregationists, disturbed over the easy transition from long established customs, apparently are plotting to foment trouble.

Passive Resistance

One incident occurred this morning on a bus that starts in a Negro section and runs through a neighborhood of upper-class white families. A Negro man boarded the bus and took a seat in the front, which used to be reserved for whites. A white woman immediately stood, charged that he had "muttered" at her, and began belaboring him with a book.

He took the attack in silence. Six other Negroes sitting in the bus said nothing and did not move to his defense, adhering to the Negroes' resolve here never to meet violence with violence. Finally, they all rose and quietly left the bus.

Several cars occupied by white men had pulled up behind and in front of the bus. The woman looked at the white bus driver, but he simply asked if she wanted to make a formal complaint. She retorted that "she might have known that's all that would happen" got out of the bus and entered one of the cars.

Negro leaders did not report that incident to the police. They are deliberately "playing down" all such provocations, determined not to give the white supremacists any chance to exploit the transition process.

Senator Makes Charge

Later, State Senator Sam Engelhardt, Jr., Secretary of the White Citizens Council in the state, telephoned the

newspapers here to charge that a Negro man had winked at a white woman and invited her to sit down beside him.

Witnesses of the incident said, however, that the Negro's wife had followed him into the bus and was paying the fares when the white woman began striking her husband. The White Citizens Council did not explain why any [fol. 909] Negro would invite a white woman to sit with him in a town like Montgomery, or why he would offer her a seat his wife would expect to use.

It is this kind of a created incident that the Negro leaders here fear could set off racial rioting despite their efforts to give no offense.

A "prayer for guidance" has been distributed by the Rev. Dr. Martin Luther King, Jr., leader of the Negroes' year-long struggle to abolish Jim Crow on the buses. He has called upon Montgomery's 50,000 Negroes to display a "calm and loving dignity" through the critical days of the transition.

"If cursed, do not curse back," the Negroes have been instructed. "If pushed, do not push back. If struck, do not strike back. Evidence love and good will at all times."

Most of the passengers on the buses today were Negroes, but a tally made by the bus drivers for the company showed that there were more whites on the buses than there had been on Saturdays during the past few weeks.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 149

THE NEW YORK TIMES
SATURDAY, DECEMBER 22, 1956

BUS INTEGRATION IN ALABAMA CALM

MONTGOMERY QUIET ON FIRST DAY—SLAPPING OF NEGRO WOMAN INCIDENT

By George Barrett

Special to The New York Times

MONTGOMERY, Ala., Dec. 21—The Negroes of Montgomery, victors in a year-long boycott to end segregation

in public transit here, quietly and in determined numbers went back to the city's desegregated buses today.

For the first time in this "Cradle of the Confederacy" all the Negroes entered buses through the front door. They sat in the first empty seats they saw, in the front of buses and in the rear. They did not get up to give a white passenger a seat. And whites sat with Negroes.

[fol. 910] As one of the oldest race barriers in this deep South community fell this morning, following a formal order from the Supreme Court to abolish segregation in local buses, nothing happened to indicate that Montgomery's 75,000 whites and 40,000 Negroes looked upon the historic event as anything but a natural development.

There were no special details of police on duty, nor were they needed. Despite alarms by city officials and members of the White Citizens Council during the last year that bus desegregation in Montgomery would bring riots and bloodshed, only one minor incident marred today's changeover from long established custom.

A negro woman who was one of the first to board the newly desegregated buses this morning was slapped in the face by a white youth as she stepped out of a bus into the street. She reported that her assailant then jumped into a car with an out-of-state license plate and sped away with a group of white men.

In a couple of instances, carloads of white men were seen to follow some of the buses, but no overt attempt was made to interfere with the bus company's decision to carry out the Supreme Court order.

Aboard the buses, as the Negroes and the whites for the first time sat where they both chose to sit, the talk was rarely about integration. At first there was no exchange between whites and Negroes as they took up the strange pattern of mixed seating. But often the stiffness gradually disappeared.

A Negro turned in one bus to ask a white passenger sitting behind him—the mark of the new order—what time it was and got a quick courteous reply. A white man who had been sitting next to a Negro, said later he did not understand what all the fuss and the difficulty had been about.

The Rev. Dr. Martin Luther King, Jr., the 27-year-old Negro minister who was a leader in the boycott, rode one of the city buses today—accompanied by a white minister, the Rev. Glenn Smiley.

Minister Optimistic

While there was still fear in the community that efforts [fol. 911] might be made to disrupt the bus integration process, Dr. King stressed the harmony that had marked the crucial first day desegregation and predicted no major trouble in the future.

"If any trouble does occur I feel the proper authorities will take cognizance and that it will be stopped immediately," he added.

In some cases white passengers made sneering remarks, but Dr. King's emphasis on the Christian theme of love between all men has been adopted by the Negro community not only as a tenet, but as a tactic in their struggle for racial equality.

Two white men in one bus today found themselves sitting behind a Negro, and one of the whites said, loudly: "I see this isn't going to be a white Christmas."

The Negro looked up, and smiled. He said, with good humor but firmness: "Yes, sir, that's right." Everybody in the bus smiled, and all rancor seemed to evaporate.

There was no mass turnout of Negroes today to exploit their victory. For the most part, only those who had planned already to go to town took the buses. They made nothing special of it, simply abandoned their year-long custom of walking, or joining in a car pool, and quietly boarded the bus.

There had been speculation that the whites might start their own bus boycott now, rather than ride with Negroes. Yet many whites were among today's passengers.

The Negroes, under Dr. King, held almost 100 per cent to their campaign, and consequent losses to the midtown area had brought quiet pressures from merchants and many other responsible groups of Montgomerians to end the fight.

[fol. 912]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 150.

THE NEW YORK TIMES DECEMBER 16, 1956

MONTGOMERY: TESTING GROUND

THE K. K. K., THE WHITE COUNCIL AND THE 'NEW NEGRO'—all ARE INVOLVED IN A TEST ARISING FROM THE SUPREME COURT ORDER ON BUS DESEGREGATION.

By George Barrett

Montgomery, Ala.

Three white-robed, white-hooded figures, their feet moving slowly and out of step, appeared suddenly on a main street here three Saturdays ago. The cloaked tri kept eyes straight ahead, walked in silence past the A.&P. Supermarket, past Perry's Sandwiches, past "War and Peace" at the Paramount.

There had been rumors that the Knights of the Ku Klux Klan were coming to town to hold a council of race-war, to set wooden crosses ablaze in Negro neighborhoods in protest against the Supreme Court's Nov. 13 decree barring segregation in buses. That decree was directed at Montgomery, specifically at the local bus system, which, the high tribunal ruled, must end its Jim Crow practices. The K.K.K. that Saturday had decided the "niggers" needed an old-style Southern reminder and not to start taking the Supreme Court seriously, here in Montgomery.

A Negro mother and her 8-year-old son were about to enter Montgomery Fair, the city's big department store on Court Square when they spotted the three hooded Klusmen; the Negroes stopped short in the doorway and stared. A Negro couple had just come out of Liggett's drug store; they, too, halted and stared. Two teen-age Negro boys had stepped off the curb at the green "Walk" sign to cross Dexter; they stood rooted at the curb. And stared.

A moment of suspended movement, a moment of puzzlement and disbelief. Then all of them looked unflinchingly at the robed men—and began to smile, then to laugh.

There were whites too, on the corners of Court Square and grins of amused incredulity were on most of their [fol. 913] faces. One of them scratched his chin as he watched the hooded Klansmen, and said: "Looks like they been lost outa one of them old movies."

One man, a white man, did not laugh. He was an airman in town on pass from Maxwell Air Base. He walked up to the three cloaked Kluxers, stood in their path and spat on their shoes. His hands clenched into fists. The Klansmen gave way, moved around him, and walked swiftly up the street.

That recent incident on Montgomery's main square captures in a way the many-faced story of this Deep South community as it takes up the challenge of the Supreme Court's ruling ordering the end of segregation on the local bus system.

Montgomery's 50,000 Negroes have just passed the first anniversary of their year-long and phenomenally successful bus boycott, a boycott that "kind of just burst out," as one woman puts it.

The Negroes here decided suddenly last December to stand up against Southern Jim Crow—against paying fares at the front door but having to enter the bus by the rear door, to avoid contact with white passengers, of walking along the outside of the bus—after paying their fares—and being deliberately abandoned by grinning white drivers, of suffering in silent humiliation epithets from the drivers like "black ape," "black cow," and "dirty nigger."

So, on Dec. 5, 1955, Montgomery's Negroes, who make up 40 per cent of the town's population but about 70 per cent of the paying bus traffic, simply decided to stop riding the buses. Four days before that decision, a 42-year-old seamstress, Mrs. Rosa Parks, had been arrested under city and state segregation laws for refusing a bus driver's order to give up her seat and move back in the bus. For all the community's Negroes, Mrs. Parks' arrest was the determining blow.

Resentments in the making for more than one hundred years crystallized into collective action. Most of the white community pooh-poohed the Negro boycott, and predicted that "them shiftless, no-account niggers," would not last the week out before they would start climbing back into the buses—at the back end.

Ironically, the Negroes of Montgomery had not asked [fol. 914] originally for non-segregated buses; they were ready to accept segregation, in the Southern tradition, but wanted only assurances of courtesy from drivers and a "first come, first served" policy, with themselves sitting to the rear of the bus as they entered. It was the resistance of the white community to these requests that eventually brought on the court action leading to desegregation.

For most of the past year Montgomery Negroes operated their own transit service with "pool" cars and station wagons, maintaining better schedules than the city system had established. Before an injunction was issued ordering the Negroes to discontinue their own system—the injunction was issued on the same day as the Supreme Court ruling—the fleet totaled 300 private cars and twenty station wagons, many of them lent to the Negroes by churches and organizations throughout the country.

But during much of the year, and particularly during the last few weeks, many of the Negroes walked to work, some of them six miles each way, getting up at 3 A. M. to do it. The whites now express amazement at—and a reluctant admiration for—the year-long campaign.

The boycott has been very close to 100 per cent effective. Buses with one occupant, the driver, or with only two or three white passengers, have been traveling through town like ghost stages, and the company has lost more than $750,000. Downtown white merchants report substantial losses, while Negro storekeepers and white proprietors located a distance from downtown Montgomery have doubled and tripled their business.

Today, after a year of boycott, many of the 75,000 white residents of Montgomery confide—usually in private, however—that they are giving agonizing reappraisals to their Dixie-conditioned concepts of the black man.

Nothing more vividly illustrates the change in basic race attitudes in this "Cradle of the Confederacy"—where Jefferson Davis took command of the secessionist cause for the entire South—than the disregard and amused contempt that the Negroes and, it must be emphasized, most of the whites now express openly for the K.K.K. This attitude, [fol. 915] incidentally, is shared by most members of the White Citizens' Council, which has mobilized much of the South's officialdom to defend Jim Crow. (Not so incidentally, the white supremacy group here frankly confesses it has lost 1,000 of its members in the past year.)

On that Saturday three weeks ago, when the pictures the photographers were snapping of hooded "Montgomery" Klansmen shocked much of the nation, Montgomery was, in fact, giving the K.K.K. the bum's rush. The Klan was told to get out of town if it wanted to hold a rally and was expressly forbidden to hold a parade within city limits. And, in spite of the year-long struggle over desegregation, the white community this year cooperated with the Negroes as usual on their annual parade here marking the Tuskegee-Alabama College football game on Thanksgiving Day.

The rebuff to the Kluxers underlines one of the most significant developments in Montgomery; there is a tacit agreement by the bulk of both the Negro and white communities that violence must not erupt, that at all costs the campaign for and against Jim Crow must be confined to the propaganda forums, to the courts, to any peaceful channel.

This accent on peace will get its first real test during the next few weeks. They will be crucial weeks for Montgomery, as it moves to follow up the formal order of the Supreme Court.

Some uncertainty remains. The big fear now is the presence of "goons" of both races, particularly the bigots and malcontents who whip up emotions and prejudices and frighten the majority of law-abiding men anywhere. It takes only a few men to plunge a peaceful community into a racial war, though 98 per cent of the population want no part of it.

Nevertheless, this writer failed to find a single person in Montgomery—Governor, kitchen maid, minister, cabbie,

lawyer, bootblack, State Senator, housewife, or merchant —who believes that any violence will take any form but the isolated, occasional clash that is certain to happen. As the new test period now unfolds, the mood of Montgomery, the mood of the emerging Southern Negro here who has seen the Supreme Court back up his right, the mood of the white Southerner here who still bitterly resents and opposes the Supreme Court stand on desegrega- [fol. 916] tion, can all be put into two words—watching, waiting.

But beyond these words, and beyond the determination of most of those here to keep violence from exploding, there are forces at work indicating that this "hard core" Deep South community may already be well on the way toward a form of desegregation that its residents, black and white, would have considered impossible a year ago.

For one thing, it is a common fallacy to assume that places as Deep South as Montgomery must be Deep South in all measurements.

"It's the stock images—what we call the mildew-and-magnolia approach—that depress us," a native of the city says. The reality is that outside of a few trees and hanging moss, the "Heart of Dixie" tourist slogans on the license plates and the brass star imbedded on the front portico of the Capitol to mark the spot where Mr. Davis became the First Confederate President, Montgomery, Ala. could just as easily be Hartford, Conn., or Des Moines, Iowa.

Cars jam and parking battles around plants and shipping points tell the story of Montgomery's gradual emergence from a rural economy to an industrial-agricultural way of making a dollar. In the last nine years the state led all southeastern states in the percentage of industrial employment increases, and in the last ten years manufactured products showed an 80 per cent rise.

But even cotton and cattle and manufacturing are minor economies compared with the United States Air Force. The biggest "industry" in Montgomery is Maxwell Air Base, Gunter Air Base and the Air University; somebody counted thirty-three full colonels clustered one day at the local depot.

"That means a chunk of spending money in our town," a storekeeper says. That also means quite a number of visits to town of men in blue from all parts of the country, men who march in non-segregated ranks, black men and white men share the same barracks.

There is a general belief here that the buses will keep running, only now on a non-Jim Crow basis. And perhaps the most revealing sign that Jim Crow may not ride on Montgomery buses is a remark that one hears privately all over the town—a remark express by officials like Mayor [fol. 917] W. A. Gayle who are still making public pronouncements about maintaining segregation but in private say: "Look, I'm not fixin' to go to Atlanta" (that part of Atlanta, Ga., where the Federal penitentiary is situated.)

The Federal court is the real key to what will probably happen here in Montgomery. Nobody is fixin' to go to the Federal "pen."

This is the kind of town where open-and-shut cases of peonage—where a Negro has been in effect sold to an employer who takes over the Negro's debts—have been thrown out of court because of the local jury system. But the feeling in Montgomery is that contempt of a Federal court is something else, and there are few who feel deeply enough about desegregation to go to jail over it.

It is almost as though a master button had been pushed to hear the same phrases come from every lip:

"Well, you know, my wife and I don't use buses anyhow, so this whole thing doesn't affect us personally."

"Frankly, I'll tell you, I figure the 'niggers' will just get right back into them buses like they always done before this trouble and they'll move right to them back seats like always."

"Shoot! The whites will just stay off the buses, that's all."

"Now, this school mixing stuff, that'll be coming next, and I'm telling you, mister, that's sure where we're gonna draw our line."

Significantly, the symbol of resistance to racial integration has been transferred, by the whites, to the schools.

"Let's admit it, we're just resigned to the bus question," a gray-haired lawyer says.

The fact is that school desegregation has not even been brought up by the Negroes here. A year ago nobody ever mentioned schools here; the talk was all of the buses, and it was the bus desegregation issue that was the symbol of white resistance.

Of all the forces subtly or obviously at work breaking down old racial patterns, clearly the most dramatic and most far-reaching is the force represented by the "new Negro," the Negro that the Old South never knew.

[fol. 918] At the Sunday church services, in the blue rooms, the club rooms and the ranch houses and the dilapidated shacks in Washington Park, Mobile Heights and North Montgomery, the Negroes discuss the future with evangelical faith, making plans to demonstrate that the buses can be run on a non-segregated basis from now on, safely, harmoniously. They have pledged themselves to display no attitude, commit no act to give the white offense over the integration victory. "Victory," incidentally, is a word the Negroes are prudently avoiding.

The man who led the Negro community in its first unified campaign for civil rights is a soft-spoken, 27-year-old scholar of Hegel and Kent, a doctor of divinity and a doctor of philosophy. The Rev. Dr. Martin Luther King, Jr., pastor of this historic Dexter Avenue Baptist Church, a simple but quietly handsome structure of red brick near the Capitol, is a man who has shattered traditional concepts here as profoundly as his famous name-sake shattered sixteenth-century concepts in Europe.

Dr. King's approach combines a practical application of Christ's appeal to all men to love all men, a practical application of Hegel's view that development evolves from struggle and that it is "natural and necessary" to accept the tension of change, and a practical application of Mahatma Gandhi's passive-resistance technique—a combination, in all, that has made a profound impact on the white community.

And on the Negro community.

Under constant harassment from city officials and city police during this past year, under threats of killing and expulsion, under threats of job firings (and scores of

(THE REMAINING PART OF ARTICLE NOT LEGIBLE)

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL)

[fol. 919]

(FOUR PHOTOGRAPHS ATTACHED TO ORIGINAL.)

[fol. 920]

(TWO PHOTOGRAPHS ATTACHED TO ORIGINAL.)

[fol. 921]

PLAINTIFF'S EXHIBITS NOS. 151, 152 AND 153

(THESE EXHIBITS ARE NON-EXISTENT AND VOID DUE TO ERROR IN MARKING BY COUNSEL.)

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 154

THE NEW YORK TIMES
SATURDAY, JANUARY 10, 1959

DEFIANT JUDGE TOLD TO YIELD VOTER ROLL

By Claude Sitton
Special to The New York Times

MONTGOMERY, Ala., Jan. 9—Circuit Court Judge George C. Wallace defied the Federal Civil Rights Commission for a second time by denying it access to voter registration records, the agency's chairman contended today.

In answer to a petition filed by a Justice Department lawyer at the commission's request, Federal District Judge Frank M. Johnson, Jr. immediately ordered the Clayton, Ala., judge to permit examination of the Barbour and Bullock County voters' records next Monday and Tuesday.

He also directed those involved in the controversy over the investigation to return to court Wednesday and report whether the commission's investigators had been given the information.

Judge Wallace declined to say whether he would comply with the order. Failure to do so is likely to bring a contempt citation from Judge Johnson, a close personal friend and former law school classmate of Judge Wallace.

Judge Wallace, who ran unsuccessfully last spring for the Democratic gubernatorial nomination, issued a statement contending that he had shown the investigators the records pertinent to their inquiry. In granting the order Judge Johnson pointed out that Judge Wallace, through his attorneys, had agreed to a court-approved compromise throw- [fol. 922] ing open the records to the commission.

This provided that investigators had "the right to inspect official voter registration records in Barbour, Bullock and Macon Counties to the extent they are relevant to the commission's inquiry."

An attorney for Judge Wallace, Preston C. Clayton, said that Judge Wallace believed that he had the right to determine what records were relevant. However, Judge Johnson held that the agreement covered all the Barbour and Bullock records that had been impounded by the Circuit Court before the commission's hearing here last December.

Macon Aides Cooperate

That hearing was adjourned after Judge Wallace had refused for the first time to relinquish the records. At the same time the four registrars in Barbour and Bullock and two others from Macon declined to testify. Judge Johnson then ordered them to comply with the commission's subpoenas, but modified the order after the compromise was reached.

The Macon registrars resigned. However, they cooperated earlier this week in an examination of their files.

The compromise stated that the other registrars would not be required to testify if investigators, through a review of the records, gathered all information necessary for the commission's report to the President and Congress.

However, Dr. John A. Hannah, commission chairman and

president of Michigan State University, told a news conference that when the investigators met with Judge Wallace yesterday in Clayton they got "precious little" information.

Dr. Hannah's statement followed a two-hour closed hearing in which he and four other members of the six-man panel heard testimony from the four staff aides on what they had learned from the inspection of the Macon documents.

Silent on Findings

Dr. Hannah declined to say whether any violations had been found. But he pointed out that under the law the commission was required to go into executive session to [fol. 923] receive testimony that "may tend to defame, degrade or incriminate any person."

The commissioners left Montgomery after the hearing, Dr. Hannah said he would determine later whether another hearing here would be necessary.

He also announced that the commission would hold its next field hearing in New York on Feb. 1, 2 and 4 to look into complaints of racial discrimination in housing.

Judge Wallace, who goes out of office on Jan. 19, issued a statement tonight declaring that the commission's contention was "false."

He said that a Circuit Court official, at his request, had accompanied the investigators to Union Springs for examination of "what I considered relevant records in Bullock County."

He then asserted that Judge Johnson's modified order had not defined "what were and what were not relevant records."

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 155

THE NEW YORK TIMES
WEDNESDAY, DECEMBER 10, 1958

RIGHTS UNIT ASKS U. S. WRIT FOR ALABAMA VOTING DATA

CALLS ON JUSTICE DEPARTMENT TO FORCE 6 DEFIANT REGISTRARS TO COMPLY—HEARINGS ENDED ON SECOND DAY

By Claude Sitton
Special to The New York Times

MONTGOMERY, Ala., Dec. 9—The Civil Rights Commission today answered the first challenge to its power by seeking court action against registration officials in six counties.

The registrars had refused to testify or to surrender their records for the commission's investigation into the alleged denial of Negro voting rights in central Alabama.

[fol. 924] The commission recessed its first field hearing indefinitely after asking the United States Attorney General for "such action as he deems appropriate" to force the officials to cooperate.

The Justice Department announced in Washington that a complaint would be filed in the Federal District Court here seeking an order against the officials. Refusal to comply with such an order likely would bring a contempt citation.

John Patterson, State Attorney General and Governor-elect, indicated in a statement that the state would oppose this move. Mr. Patterson, who appeared at the commission hearing as legal adviser to the registrars, said:

"We will take advantage of every means we have available to represent our judicial offices (the registrars) and protect them from this invasion by the Legislative and Executive branches of the Government."

The six-man bi-racial panel heard forty-four witnesses during the session, which began yesterday in a crowded courtroom of the Federal Building and ended shortly

before noon today. Included were thirty-seven Negroes and seven white officials.

The testimony disclosed that there were apparently no Negroes registered in either Lowndes or Wilcox Counties, only four in Bullock, 125 in Dallas and 1,110 in Macon. Negroes outnumber whites in all of them.

No Negro registration figure was established for Barbour, but three complainants from that county told the commission that although they were fully qualified, they had been denied certification repeatedly.

Records Withheld

Circuit Judge George Wallace, five probate judges and the six boards of registrars failed to produce records yesterday that had been subpoenaed for the hearing.

The lone exception to this pattern of defiance was Probate Judge William Varner of Macon County. He turned over his list of qualified voters to the commission.

[fol. 925] Five of the eight registrars who appeared, refused to take the oath and a sixth declined to testify about his duties.

Following the adjournment of the hearing yesterday, the Commissioners conferred with their legal aides on the situation and decided to ask the Attorney General's help.

Dr. John A. Hannah, chairman of the commission and president of Michigan State University, said today after announcing the decision that it was unanimous. However, John S. Battle, a panel member and former Governor of Virginia, called it a "majority" decision. He declined to say whether he had voted for it.

Dr. Hannah made the following statement shortly before the hearing recessed indefinitely:

"This commission regrets the failure of certain persons to appear at this hearing after having been formally subpoenaed to appear in accordance with the provisions of the law creating this commission, and the failure of others who have appeared in person to produce certain records that they were subpoenaed to produce, and the refusal of some who were physically present to be sworn as witnesses

when requested to do so; and the failure of others to answer questions that were asked of them.

"In accordance with the terms of the law creating it (Public Law 85-315, enacted by the Congress of the United States on Sept. 9, 1957), this commission respectfully referred the complete records of this hearing to the Attorney General of the United States for such action as he deems appropriate to the end that will assist this commission to have made available to it the information that is required to enable it to carry out the mandate of the law."

Efforts to Register Cited

One of the ten Negroes who testified today, S. W. Boynton, a Selma, Ala. real estate broker, said that in the last five years more than 800 Negroes had sought to register in Dallas County and only two had been certified. Mr. Boynton is registered.

A Barbour County resident, George R. Morris, said he had tried three times to register without success. The owner of a sixty-five acre farm, he won four battle stars [fol. 926] while serving in the European Theatre during World War II.

Asked why he wanted to vote, he replied:

"I want to vote because I want to be a citizen. On my discharge was marked 'American citizen.' I had a hard time (during the war) and I figure I ought to be a registered voter."

Aaron Sellers, owner of a 240-acre farm in Bullock County, testified that he had applied unsuccessfully six times. On one occasion when he and five other Negroes were waiting in the office of the Board of Registrars, he said, a white man—not one of the registrars—advised them to "go on home—you all are citizens already."

Later Mr. Sellers added, the old man returned and said, "I thought I told you all to get the hell out of here." They left.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 156

THE NEW YORK TIMES
TUESDAY, DECEMBER 9, 1958.

ALABAMANS DEFY U. S. RIGHTS BOARD AT FIRST HEARING

(Photograph Attached to Original.)

[fol. 927]

REGISTRARS WITHHOLD VOTING DATA— 6 REFUSE TO TESTIFY ON NEGROES' COMPLAINANTS

By Claude Sitton
Special to The New York Times

MONTGOMERY, Ala., Dec. 8—Voter registrars in six counties defied the Civil Rights Commission today in its first field hearing by refusing to surrender their records.

Six registrars from four counties took their defiance a step further by refusing to testify before the six-man, biracial panel which is looking into alleged discrimination against Negro applicants in central Alabama.

Circuit Judge George Wallace of Clayton, Ala., who had been subpoenaed after impounding records in Barbour and Bullock Counties, refused to come here for the hearing.

"They had no right to subpoena me away from my circuit and ask me to bring records that have been legally impounded by this court," he said in statement.

Advice of Counsel

The registrars' challenge came on the advice of John Patterson, State Attorney General and Governor-elect.

Eight registrars and five probate judges appeared at the hearing. Five of the registrars refused to take the oath. A sixth would not testify on the ground that the commission had nor right to interrogate an official of the state judiciary.

All the probate judges answered questions, but were of

little help to the commission since they are merely custodians of the list of voters already certified by the registrars.

When these officials were asked why they had not brought their records, they replied that the documents had been subpoenaed by state authorities.

The commission then pointed out that with the exception of Barbour and Bullock the state orders were served after the Federal subpoenas.

[fol. 928] Cooperation Asked

In the morning session, twenty-seven Negro residents of Macon County, home of Tuskeegee Institute, testified that they had been denied certification. Most said they believed this had been done because of their color.

The defiance of the registrars drew a plea for cooperation from John S. Battle, former Governor of Virginia and a member of the commission.

In a statement read at the end of the day's session he cited his Southern background and asserted that there were few white citizens in Alabama who believed more strongly in segregation than he.

He pointed out that the information gathered by the commission would be used in recommending new civil rights legislation to Congress. He implied that the registrars' conduct would strengthen the case of advocates of more stringent measures.

The hearing brought out that no Negroes were registered in Lowndes County. This was disclosed in the testimony of Harrell Hammonds, the County's probate judge.

J. Ernest Wilkins, former Assistant Secretary of Labor for International Affairs and the commission's only Negro member, asked Mr. Hammonds if it were not true that he had no Negroes on the voting list although they outnumbered whites about three or four to one.

"That's what they say," the official replied.

"Don't you think that this is rather unusual or peculiar?" Mr. Wilson asked.

"It might be unusual or peculiar in some places," said Mr. Hammonds.

The hearing was opened at 9 A.M. in a crowded courtroom of the Federal Building by Dr. John A. Hannah, commission chairman and president of Michigan State University. After having read a statement on the agency's mission, he turned over the chair to Robert G. Storey, vice chairman and dean of Southern Methodist University Law School in Dallas, Tex. Mr. Storey also read a statement.

The first witness was William P. Mitchell of Tuskegee, [fol. 929] an employee of the Veterans Administration Hospital there and secretary of the Tuskegee Civic Association. The organization has pressed a campaign to obtain full voting rights for Negroes.

He testified that for the years 1956 through October of 1958, a total of 1,585 Negroes had sought registration. Of this number only 510 were certified.

Mr. Mitchell described tedious, time-consuming procedures followed by the Macon registrars in testing Negroes' applications to determine whether they met the state's requirement that voters be able to read and write.

Among those who were unable to obtain certification were Tuskegee Institute faculty members with the degree of Doctor of Philosophy. Nearly all had been registered in Northern and Western states.

The afternoon session opened with the surprise surrender of the Macon County voting list by William Varner, probate judge, over the objection of Attorney General Patterson. The Macon documents were the only ones handed over to the commission during the day.

Mr. Patterson placed in the record a letter advising Mr. Varner that he could not, under Alabama law, take the records in his custody out of the county.

The records of the Macon Board of Registrars, which contain information on why various applicants had been turned down, were impounded earlier in the day by the circuit solicitor of the county.

Essentially the same procedure thwarted the commission in Dallas, Lowndes and Wilcox County.

(One Photograph attached to Original.)

[fol. 930] TEXTS OF STATEMENTS AT ALABAMA CIVIL RIGHTS HEARING

MONTGOMERY, Ala. (Dec. 8—UP) Following are the texts of statements today at the Federal hearing on voting right, by Dr. John A. Hannah, chairman of the Civil Rights Commission, and Robert G. Storey, vice chairman:

(One Photograph Attached to Original.)

Dr. Hannah

The Commission on Civil Rights was established under the Civil Rights Act of 1957. Under the act the commission is required to "investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion or national origin * * * ." In order to carry out that explicit duty, the commission is authorized to "hold such hearings * * * as the commission may deem advisable."

The Civil Rights Act of 1957 is mandatory in providing that the commission shall investigate voting complaints. Numerous complaints having been received by the commis-
[fol. 931] sion from certain parts of the State of Alabama, a preliminary investigation of these complaints were authorized and the results of the investigation were brought to the attention of the commission at its recent meetings. After careful consideration of the information before it, the commission unanimously agreed that a hearing should be scheduled for the purpose of gathering all of the facts about the voting situation in certain counties of Alabama.

I would like to emphasize that the Commission on Civil Rights is an independent agency of the Government in no manner connected, even administratively, with the Department of Justice or with any other enforcement agency. The commission is a fact-finding body which has the duty to determine what the facts are about voting in the United States and to report those facts to the President and to the Congress on or before Sept. 9, 1959. Prosecutions, indictments—indeed, matters of law enforcement in any form whatsoever—are beyond the power of this commission.

The emphasis of the commission and its staff is on objectivity, and, as the commission views it, objectively presupposes getting all of the facts. The commission does not consider itself a protagonist for one view or another.

'Reason and Light'

In that connection, I would point out that of the six members of the commission, three are from the south and three are from the north. Politically, the commission is composed of three Democrats, two Republicans and one independent. The commission was established in the hope that a thorough dispassionate evaluation and appraisal of the facts some sort of reason and light could be brought to bear upon problems of national importance which have up to now been frequently and passionately debated but seldom soberly assessed.

The commission is keenly aware of the forward strides that have been taken throughout the South in recent years in admitting Negroes to the exercise of the voting franchise. Not too many years ago in many parts of the South only white citizens were permitted to vote. I am told that now almost a million and a quarter Negroes are registered to vote throughout the South. That includes and indicates [fol. 932] that progress is being made in that direction.

This hearing is a serious attempt to determine what the facts are about voting in Alabama. The location of this hearing was not selected because of any predisposition on the part of the commission to single out the State of Alabama for criticism or censure. It was selected because the act under which we operate required that we investigate valid voting complaints, and, the largest number of complaints came from Alabama. It is not unlikely that the information we derive from the hearing will be useful in the event future hearings are conducted elsewhere.

I am asking our vice chairman, who is a distinguished attorney, former president of the American Bar Association and the Dean of the Law School of Southern Methodist University in Dallas, Tex., to preside at the hearing. Three other members of this commission are distinguished attorneys—John S. Battle, formerly Governor of Virginia;

Doyle E. Carlton, formerly Governor of Florida, and J. Ernest Wilkins of Chicago, formerly Assistant Secretary of Labor, Father Hesburgh, the president of the University of Notre Dame, and I have decided that we may participate in the questioning of witnesses from time to time—but in general we will rely upon the lawyer members of the commission to bring out the facts.

Vice Chairman Storey, in accordance with the unanimous desires of the commission, will you please take over and conduct this hearing.

By Mr. Storey

First may I add a word to the chairman's statement assuring everyone that we're here on a mission to ascertain facts about an issue that is vital to every American citizen. We are here performing a duty that is for some of us unusual, a duty delegated to us by the Congress and the President. We did not seek this responsibility, but when the President appointed us to join in a nonpartisan mission to seek the facts of this complex human and legal problem commonly known as civil rights, we felt obligated to serve.

This is a difficult assignment, at least for me, because it is raising fundamental questions about the political [fol. 933] process of my own region. My father was born and educated in Alabama. I have close relatives and good friends in this state. My grandfathers were Confederate soldiers, so there are many thoughts and memories going through my mind as we meet in Montgomery, the cradle of the Confederacy. But history moves on, we are one nation now. Hence this bipartisan commission composed of two presidents of great universities and four lawyers have a solemn duty to perform. We are sworn to uphold the Constitution of the United States.

Our sole purpose is to find the facts. We hope that a thorough understanding and evaluation of the facts will contribute to sound recommendations. As the President said when the commission was created, these problems of civil rights can only be solved "by understanding and reason." Similarly, the Democratic leader of the Senate, Senator Lyndon Johnson of my state, commented that this

commission "can be a useful instrument. It can gather facts instead of charges; it can sift out the truth from the fancies; and it can return the recommendations which will be of assistance to reasonable men." It is in this spirit that we are here.

Each witness received a copy of our rules of procedure when served with a subpoena. Fair and informal procedure will be followed. Constitutional rights of witnesses will be protected in this proceeding, as provided by the statute reading, "Witnesses at the hearings may be accompanied by their own counsel for the purpose their constitutional rights," a copy of which has been delivered to each witness with his subpoena. This hearing or inquiry is not in any sense an adversary proceeding. The complaining parties who have submitted sworn statements will be called first. Then we will ask the appropriate public officials to testify. All testimony will be under oath. Any citizen who knows facts relevant to the issues is welcome to submit a sworn statement subject to our rules of procedure.

A transcript of the testimony of all witnesses will be made, and each witness shall have the right to inspect the record of his own testimony.

Let me conclude by restating the issue before us: Are [fol. 934] certain citizens of the United States being deprived of their right to vote and have that vote counted by reason of their color, race, religion or national origin?

Now, we will call the first witness.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 157

THE NEW YORK TIMES JUNE 27,

EXPERT ATTACKS MISSILE SECRECY

DR. VON BRAUN SAYS ARMY POLICY IMPEDES NATIONAL SECURITY—BACKS JUPITER

By Russell Porter
Special to The New York Times

HUNTSVILLE, Ala., June 26—Dr. Wernher von Braun, head of the Army's team of scientists at near-by Redstone Arsenal, a highly secret rocket and missile center, today criticized the Army's security policy as too strict. He said it was so strict it actually impeded national security.

Testifying as a defense witness at the Army court-martial of Col. John C. Nickerson, Jr., Dr. von Braun said that Army security had resulted in withholding of information needed by the public and Congress to enable them to support development of new weapons.

He said that the Air Force and Navy had been smarter, had told the public more, had received more money and had gained priority for their programs. He asserted that the Army's Jupiter was far superior to the Air Force's Thor, but that the Defense Department had taken operational use of the Jupiter away from the Army and had given it to the Air Force.

It was the Army-Air Force feud over the Jupiter and Thor, both intermediate range (1,500 mile) ballistic missiles, that led to the Nickerson court-martial.

[fol. 935] Missile Expert

Colonel Nickerson, 41-year-old missile expert and war hero, pleaded guilty yesterday to having violated Army security regulations. He admitted he had failed to safeguard defense missile information he had kept in his home and having leaked it to persons not cleared to receive it too. Earlier yesterday the Army had withdrawn a more serious charge involving espionage and perjury.

The court found him guilty of the lesser charge. It then began taking defense testimony in extenuation and mitigation presented in the hope of lightening the sentence that is yet to be imposed.

Dr. von Braum, 45, is chief of the Development Operations Division of the Army Ballistic Missile Agency here, in which Colonel Nickerson, until January, was chief of the Field Coordinating Office.

A German-born naturalized United States citizen, Dr. von Braun came to the United States after World War II. He was among 120 missile experts who had developed the v-2 used by the Germans against England. He testified today that he had had twenty-seven years' experience developing rockets and missiles, including eight years on the v-2 and seven years at Redstone.

"I have no doubt whatever," he told the court, "That the Jupiter is far superior to the Thor."

He said that the Army's security policy had made it impossible for the public to realize the importance of encouraging the Army team to stay together. It also had prompted Colonel Nickerson to sacrifice himself by technical violations to inform the public and promote true national security, the witness added.

"The Jupiter involves several hundred million dollars of the taxpayers' money," he testified. "One hundred per cent security would mean no information for the public, no money for the Army, no Jupiter. That would be to the detriment of any new weapon. It would be so secret you could never develop it.

"The ideal thing would be 100 per cent security and all the money you want. But the world is not built that way. The Army has got to play the same game as the Air Force and Navy.

[fol. 936] "The only place where 100 per cent security can work is in a country like Russia, where the Government does not have to tell the public anything."

Dr. von Braun said the classification or declassification of defense documents was largely a matter of judgment with many borderline cases as well as those where hard and fast rules could be applied. He also testified that only 10 per cent of the information in the most secret of the

documents involved in the Nickerson case was truly secret.

The witness said that he knew Colonel Nickerson intimately. He said he was convinced that the colonel was actuated by the most patriotic motives in circulating the documents among unauthorized persons who, he thought, could help persuade Charles E. Wilson, Secretary of Defense, to change his order taking operational use of the Jupiter away from the Army.

Dr. von Braun said that Colonel Nickerson was a "faithful, loyal" American citizen who was not seeking personal gain or self-glorification but only wanted to promote the interests of the Army and the country. He conceded that the colonel had made mistakes of judgment, but said that he had done nothing dishonorable.

He said Colonel Nickerson had acted under stress, strain and frustration resulting from the Wilson order and in the belief that it was necessary to keep the von Braun team working together at Redstone on further development of Jupiter for the good of the country. The colonel's concern was increased, according to the witness, by knowledge coming to Redstone of progress in missile developments made by the Soviet Union.

He said that Colonel Nickerson "hated" communism and wanted to keep the free world ahead of the Communists in missile development.

According to the witness, Colonel Nickerson is a "dedicated" soldier who has made great contributions to the work of the Redstone missile team.

Under Cross-Examination, Dr. von Braun was asked whether he knew Eric Bergaust, editor of the magazine Rockets and Missiles, to whom Colonel Nickerson held out and sent secret documents, had applied for a pass-[fol. 937] port to the Soviet Union in the last year. The witness said no, but he had no reason to believe Mr. Bergaust had ever acted as a carrier for any foreign nation.

Dr. von Braun said that Mr. Bergaust had had legitimate business and scientific reasons for visiting Europe several times in recent years and had given much help in promoting American missile development. He said that Dr. Bergaust was born in Norway and was a naturalized

American citizen. He also said that he believed Mr. Bergaust to be a completely loyal citizen.

Late this afternoon the court went into closed session and Dr. von Braun completed his testimony there.

Dr. von Braun took the witness stand in open court in mid-afternoon after Dr. Ernest Stuhlinger, an associate on the missile team, had testified as the first witness for the defense. Dr. Stuhlinger, who testified in open court yesterday, appeared this morning and early afternoon behind closed doors.

Before court opened today, Colonel Nickerson held a press conference to explain a statement he had made yesterday. He had told a reporter that he did not think he deserved any sentence more severe than a reprimand. Today, the colonel said he had not intended to imply any suggestion to the court regarding its sentence.

He realized, he went on, that only the court had the power to decide what sentence to impose and he was not trying to usurp its power. The court can impose a maximum prison sentence of thirty years at hard labor—two years for each of the fifteen specifications in the charge against him.

Defense counsel said that Colonel Nickerson would be called to the stand in open court to state his case as fully as possible, probably tomorrow. They added that other defense witnesses might follow him on the stand.

It was indicated that the trial might end early next week, possibly Monday.

[fol. 938]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 158

THE NEW YORK TIMES MONDAY, JUNE 24, 1957

SECURITY MARKS NICKERSON TRIAL

COURT-MARTIAL ROOM SEALED FOR TOMORROW, WHEN CASE OF MISSILE OFFICER OPENS

By Russell Porter
Special to The New York Times

HUNTSVILLE, Ala., June 23—Security regulations were imposed today for the court-martial of Col. John C. Nickerson, Jr., which begins Tuesday morning at near-by Red Stone Arsenal.

The case is linked to an executive order issued by Charles E. Wilson, Secretary of Defense, last November. The order barred the Army from operational control of intermediate-range ballistic missiles such as the Jupiter, which had been developed at Red Stone.

Colonel Nickerson is charged with writing and distributing memorandums to several unauthorized persons last December in which he opposed the order. According to the Army, he distributed secret defense information, which, had it fallen into wrong hands, could have harmed the country.

The colonel has denied that any information circulated by him was of such a nature. He is also charged with making false statements to Army investigators.

The military policemen sealed off the courtroom where the 41-year-old missile expert will be tried. It will remain closed until a few minutes before the trial, and will be searched for hidden recording devices.

Army security experts have assigned to the prosecution and the defense to advise when executive sessions are needed to protect secret information.

On such occasions the court will move to an adjoining room to consider classified testimony. When such testimony is to be taken, the court will go to a third room a mile away.

Reporters, photographers and the public will be admitted [fol. 939] only to the main courtroom and adjacent sections of the arsenal's administration area. The military police have set up roadblocks to bar them from restricted areas.

The restricted areas constitute most of the 40,000-acre tract where 15,000 persons work on secret rocket and missile programs. It is situated ten miles south of Huntsville.

A platoon of thirty-five military policemen from Camp Gordon, Ga., arrived to supplement the regular force at Red Stone.

Colonel Nickerson and his four lawyers held a news conference at a hotel here. His counsel termed it a "very unusual procedure" to assign security experts to both sides. They said that it indicated that much of the testimony might be taken behind closed doors.

The colonel said he felt confident that the outcome would be favorable to him.

His two civilian lawyers are Ray H. Jenkins of Knoxville, who was counsel for the Senate committee that investigated the Army-McCarthy case, and Robert K. Bell of Huntsville, former law partner of Senator John J. Sparkman, Democrat of Alabama.

His military counsel are Lieut. Col. Charles R. Zimmer, Post Judge Advocate at Fort McClellan, Ala., and Lieut. Lewis G. Cole of New York, also from Fort McClellan.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 159

THE NEW YORK TIMES MARCH 3, 1957

'JIM CROW, HE'S REAL TIRED'

SO SAYS A MONTGOMERY SEAMSTRESS, ONE OF THE SOUTH'S 'NEW NEGROES' WHO, IN A POLICY OF QUIET RESISTANCE, SEE FINAL TRIUMPH FOR THE CAUSE OF DESEGREGATION.

By George Barrett

(George Barrett, a reporter on The New York Times staff, has covered various aspects of the South's reaction to desegregation.)

[fol. 940]

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL)

Not yet where the tar road ends and the mud ruts start, but for enough out the whites never go, a Negro seamstress looked for a moment in silence at the folds of velvet that divided the choir the front row pews in her church, and the threads holding it to the brass rings around the choir rail were broken in many places. Sections of the drape yawed over, gave peep-hole views of the organ's petal clavier and the choir's heating vents. Abruptly, she pushed aside her sewing kit, began pulling away at the drape. She talked to the drape as she pulled:

"Velvet, I'm sorry. But you're tired. And we've put up just about long enough with tired things. You gotta go." And down came the velvet. Then she turned the talk to Jim Crow, spoke without rancor, without defiance, without raising her voice: "I guess that's our answer. Jim Crow, he's more than 100 years old, and real tired, and like you just hear me tell this velvet, we figure we've about put up [fol. 941] long enough with tired things."

That seamstress, a 57-year-old grandmother who left school before the eighth grade and still refers to her employer as "my white lady"; her Negro neighbor, a handy-

man who says "Yes, sir, Boss" and spends his evenings drafting and re-drafting an essay on the duties of citizenship so sound that the white man's election board will no longer dare to hold back his ballot; their community leader, the 28-year-old Rev. Martin Luther King, Jr., whose fusion of Christianity, Hegelianism and Gandhism has spurred Montgomery's Negroes and set back Montgomery's whites in the opening battle here to end racial segregation; indeed, each of Montgomery's 50,000 Negroes shares an identical distinction.

Each is the South's "new Negro."

While the white man—the Northern white man—speaks, as he often does these days, of the "new Negro," he generally means the Dr. Kings, the Negroes who have left their back-hollow birthplaces, the "Jim Towns" and "Shanty Villages" in the Deep South, and gone North to collect their master's degrees and their doctorates from integrated universities. He means the Negroes who have found their first day-to-day reality of racial democracy in the armed services and in foreign duty, and are now coming back to mobilize and stay-at-home Negroes for the big march against the bastions of the Old South.

When the white Southerner speaks of the "new Negro" these days he means the same thing, except that if he's a reputable member of the community he will probably fiddle uneasily with a paper clip on his desk and say, "That communistic N.A.A.C.P. is spending them back down here to stir up our decent Nigras," and if he is not so educated or prosperous he will spit at the dirt in angry silence, or he will say with unprintable interpolations, "That communistic N.C. double A P or whatever it's called is sending them back down here to stir up our niggers."

Example Number One here in Alabama, in fact in the entire Deep South, is Dr. King, according to most of the Southern whites who are fighting each new attempt to carry [fol. 942] out the Supreme Court's mandates to segregation. They are convinced that the Dr. Kings—and particularly the Dr. King, who they are certain is regarded by most Negroes as a kind of latter-day Messiah—are basically causing All The Trouble.

But visit Negro night spots in Montgomery, attend mid-week prayer meetings, go with them to their pep sessions, join them in their parlors; the "new Negro" is not only the Dr. Kings but the seamstress, the handyman; in fact, most of Montgomery's Negroes, who never went North. Negroes here who have traveled in the Deep South or have received letters from their friends and families in other Southern states say that the forces that unified Montgomery's Negroes in the remarkable year-long bus boycott, the passive resistance campaign that broke down the first racial barriers in this "Cradle of the Confederacy" a few weeks ago, are emerging also in other areas across the Southern tier.

The "new Negro," in fact, is a phrase that brings quick looks between Negroes here, then good-natured grins. A Negro mail carrier put it this way: "New Negro? It's just us old Negroes, the same old folks. It's not the "new Negro" —it's the "new times." Only we know it, that's all, and the white folks here, haven't caught on to it yet."

The "new times," of course, means today, the culmination of long years of better Negro education, of a fast-narrowing world with its ready exchange of ideas and closer living patterns, of the Negroes' emerging economic power, of spreading industrialization throughout the Deep South, of the day-by-day absurdities involved in sectional segregation in a nation tending naturally and swiftly toward integration on all levels, and finally of the Supreme Court's parade of bans against Jim Crow, which for the Negroes here meant, as a quietly jubilant Negro housewife said: "Before, we only thought we were right—now we know we are right."

But the point they emphasize, a point which most of the Southern whites fail to see and refuse to consider, is that there are many Montgomerys in the Deep South; there are [fol. 943] other Dr. Kings and other communities also acutely aware of the "new times" and waiting now for just the right moment to move as Montgomery moved. Dr. King, Georgia-born and Boston-educated, is a cardinal example of the aspiring Negro who reached the scholastic heights of North (he is a doctor of divinity and a doctor of philosophy) and resolutely came back to segregation in

the Deep South to fight it. But he is convinced that Montgomery's Negroes would have made their challenge without him.

In the living room of his small, white bungalow, as Beethoven's Sixth played softly inside and searchlights played garishly outside to protect him from night attackers, Dr. King recalled that Montgomery's Negroes "arose spontaneously" over the bus-segregation issue, that for the whole Negro community a tired seamstress who was asked to give up her seat to a white passenger suddenly became a symbol.

"Actually, I was catapulted into the leadership," Dr. King said. It was a matter of choosing him to direct a defiance that had already erupted. During the early days of the bus boycott, before the Negroes had organized their car pools and when every one of them walked, and people like the president of Tuskegee left their cars at the city limits to walk also, the ministers and professors who began to take over the direction of the boycott were often accosted on the streets of Montgomery by Negroes who said they had been wondering how long it would take them to catch on and act.

From the pulpit, Dr. King has warned softly, those who have three times now bombed or shot up his home: "Kill me, but know that if you do you have 50,000 more to kill."

Two and a half years ago, Dr. King turned down two higher-salaried ministerial offers in the North to become the minister of Montgomery's neat, red-brick Dexter Avenue Baptist Church, at the broad approach to the State Capitol. As he puts it "I wanted to turn my talents to our Negro cause down here, to do my part in this tense period of transition." He came here at the age of 26, brimming over with an intellectual eagerness that was in vivid contrast to the kind of Biblical bombast still popular in many Negro churches. He was not so much concerned with the happy [fol. 944] crossings of the River Jordan, but preached sermons that drew lessons for his congregation from Toynbee, Shakespeare, Benedict, Hegel, Aristotle, Galileo, Socrates and Mydal. Yet he is the first to deny that he is any more the "new Negro" than the "old style" folks who

worked, often dangerously, toward the integration that is now beginning to evolve.

His congregation loves to tell the story of the minister who preceded Dr. King, a more old-fashioned man of God who some years ago decided suddenly to sit in a front seat of a Montgomery bus when front seats were still being segregated by law for white passengers. The white driver looked at him, told him to get up and sit in the back of the bus. The Negro minister said, "No," and did not move. A block later, the driver looked again, his face reddened, and he said, "Preacher, I thought I told you to get to the back of the bus."

The minister glared back, answered, "And I told you I was going to sit right God-damned here."

The driver was flabbergasted and subsided into silence for the rest of the trip. The minister later told his congregation, "I looked up, and I said, "God, You know I meant no blasphemy," and I kind of suspect that God, He just looked down and He said to Himself, 'Now there's a real comer, yonder in Montgomery, I better keep an eye out on him.'"

Most of the whites here, who see nothing unusual about a member of the board of trustees of Tuskegee working as a chauffeur for his living, have never got past the porches of Negro homes, except on occasional paternalistic visits to see if Cora is coming along all right. If they had, they would have discovered that in the past as well as in the present minister of the Dexter Avenue Baptist Church, in the Jasons and the Rubys and the Anna Maes and the Sams who scrub their kitchen linoleum and change the oil in their cars, there has been for a long time a determined—if very quiet—resolve to get rid of Jim Crow.

"Funny thing," one Negro girl said recently after a prayer meeting, while other Negroes in the pews nodded in agreement, "our white families say to us it's such a ter- [fol. 945] rible thing that a man like that Reverend King comes here and gets the colored people all stirred up, and we say, 'No, ma'am, the Reverend, he didn't stir us up, we've been stirred up a mighty long time,' but our white folks, they just don't seem to hear us, because later at the dinner table they'll be talking to their friends and saying

what a terrible thing it is for that Reverend King to come in here and stir up all us colored people and how they were just that morning talking to their maid, only they never say what it was we answered.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 160

THE NEW YORK TIMES JANUARY 18, 1957

A DYNAMITE BOMB FOUND IN ALABAMA

DEVICE HIDDEN UNDER BRIDGE LIKE ONE LEFT ON LAWN OF MONTGOMERY MINISTER

By Phillip Benjamin
Special to The New York Times

MONTGOMERY, Ala., Jan. 17—The police revealed tonight that an unexploded dynamite bomb had been found here last Sunday.

The bomb, consisting of three sticks of dynamite wrapped in tape and encased in a brown paper bag, was found under a bridge on North Court Street by three boys. Blasting caps and fuses were fixed to the dynamite. The police said it appeared that the bomb had been abandoned.

Police Chief G. J. Ruppenthal and Detective Capt. E. P. Brown said there was "some similarity" between the bomb found Sunday and an unexploded bomb discovered on the front lawn of the Rev. Robert Graetz, a white minister who opposes segregation. The latter bomb consisted of eleven sticks of dynamite set in an aluminum frame. It was found during a series of explosions a week ago.

[fol. 946] **Suspects Released**

Chief Ruppenthal and Capt. Brown said the police had questioned a number of suspects, both white and Negro, about the bombings, but that all had been released.

Captain Brown said he had gone to Birmingham last

Tuesday with two other investigators to try to trace the origin of the dynamite. Other detectives, he said, went to various areas in Alabama. All that was discovered, he said, was that the dynamite was of a type used exclusively in south Alabama.

Captain Brown said W. L. Allen, a state investigator, had given him the names of two white men "well known in Birmingham as trouble makers." One of the men, he added, was suspected of being a member of the Ku Klux Klan.

However, there was nothing to indicate that the man had been in Montgomery at the time of the bombings and they were not arrested, he said.

Bus Run During Day

Meantime, buses continued operating during the daylight hours only, with police cars accompanying them on their final runs at 5 P. M.

In another development, the Alabama Court of Appeals took under advisement today a plea by the Rev. Martin Luther King, Jr. to void his conviction last March for leading the year-long boycott of city buses.

Mr. King and eighty-nine other Negroes were indicted on the boycott charges, but only he was brought to trial. He was fined $500 and court costs.

(One Photograph Attached to Original.)

[fol. 947]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 161

THE NEW YORK TIMES JANUARY 1, 1957

A SNIPER FIRES ON 4TH ALABAMA BUS

4 UNHURT AS BULLET STRIKES VEHICLE IN MONTGOMERY INTEGRATION DISPUTE

By Clarence Dean
Special to The New York Times.

MONTGOMERY, Ala., Dec. 31—A Montgomery City Lines bus was fired on early today. The incident was the fourth since segregated seating was eliminated ten days ago under a Federal court order.

As a result of the shooting, Police Commissioner Clyde Sellers announced tonight that twenty more patrolmen would be sought Wednesday morning. Commissioner Sellers said that funds for adding these men to the force of 155 would be found even though they are not in the budget.

In today's shooting, at 6:20 A.M., neither the driver nor the three white persons aboard the bus were injured. A bullet, believed to be of .35 calibre, struck just below the driver's seat.

The driver was W. H. Fullilove. His bus was fired on last Friday at 6:35 P.M. Today's shooting occurred in approximately the same neighborhood.

On Friday, Mrs. Rosa Jordan, a 22-year-old Negro laundry worker, was shot in both legs. She is in a hospital now.

Night Service Suspended

Mr. Fullilove told the police today that he had seen a gun flash as he approached an oncoming car.

The City Commission on Saturday suspended bus operating in Montgomery daily after 5 p. m. through tomorrow. A meeting to determine further action will be held Wednesday morning.

No change, however, was made in the 5 A.M. starting hour. On New Year's Day tomorrow, bus lines will be operated only to Maxwell and Gunter Air Force Bases.

After a boycott of more than a year, Negroes returned to [fol. 948] buses with the Federal court order ending segregation. The boycott had been led by the Montgomery Improvement Association and the Rev. Dr. Martin Luther King.

Two buses were fired on last Wednesday. One was empty except for the driver. Another carried four Negro passengers, all in the rear of the bus. No one was injured.

On Friday when Mrs. Jordan was shot, Mr. Fullilove drove his bus to police headquarters and then resumed his run. As he passed the place where the shooting had occurred, the bus was struck again, by a bullet or some other object.

BLAST AT NEGROES' HOME

Special to The New York Times

BIRMINGHAM, Ala., Dec. 31—A dynamite explosion here today damaged the home of a Negro, who less than a month ago had moved into a white neighborhood. Eight days ago a cross was burned in his yard.

The police said the blast had caused heavy damage to the home of Otis Flowers and slightly injured his 12-year-old son, Arthur Lee, who was cut on the hand by flying glass. His wife, and another son were not injured. Mr. Flowers was not at home at the time.

The bomb was described by the police as having been made of a bundle of at least four and possibly six sticks of dynamite. It went off at about 9 P.M.

Mr. Flowers, a 35-year-old industrial worker, purchased the five-room structure in Birmingham's east side on Dec. 3. He and his family are the only Negro residents of the block, although Negroes live on near-by streets.

Six Held in Birmingham

BIRMINGHAM, Ala., Dec. 31 (AP)—Six Negro boys were charged today with shooting at a trolley bus with air rifle pellets last night.

Police Commissioner Robert E. Lindbergh said he was convinced that the incident had nothing to do with Negro efforts to end bus segregation here.

[fol. 949]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 162

THE NEW YORK TIMES

SATURDAY, JANUARY 12, 1957

VIOLENCE STOPS IN MONTGOMERY

CITY QUIET 2d DAY AFTER HALT OF INTEGRATED BUS RUNS—N.A.A.C.P. IN APPEAL

By Philip Benjamin
Special to The New York Times

MONTGOMERY, Ala., Jan. 11—White residents of Montgomery are involuntarily experiencing what the Negroes of Montgomery went through voluntarily for a year.

For the second day in a row no city buses operated here. Whites having business in town took taxis, organized car pools or walked. So did the Negroes. But they were used to it after their year-old bus boycott. The boycott ended last Dec. 21 following an order by the Supreme Court to end segregation on the Montgomery City Lines.

The Montgomery bus company shut down yesterday after early morning bomb attacks on four Negro churches, the home of a Negro minister and the home of a white anti-segregation minister with an all-Negro congregation. The City Commission ordered the shutdown.

Montgomery, a town of 75,000 whites and 50,000 Negroes, was a peaceful-appearing town today. But merchants along the town's main shopping streets were far from content. The consensus was that many potential shoppers

were staying home as a result of the lack of public transportation.

Meanwhile, the possibility of a new all-white private bus system for Montgomery was raised.

It was reported that two city attorneys and a state representative had met with Federal Judge Frank M. Johnson, Jr. to learn whether such a system might be set up without violating a Federal injunction against segregation on the existing lines.

Today the Montgomery Advertiser carried an editorial calling for the resumption of bus travel even "if they run [fol. 950] empty." It urged that special police details be assigned to the buses.

"The issue now is no longer segregation," the editorial said. "The issue now is whether it is safe to live in Montgomery, Ala."

N.A.A.C.P. IN APPEAL

The National Association for the Advancement of Colored People called on President Eisenhower yesterday to issue a personal rebuke to those who bombed four Negro churches in Montgomery.

KLAN LEADER ADAMANT

Birmingham, Ala., Jan. 11 (AP)—A Ku Klux Klan leader last night said the organization would "not give another inch or another concession" in its fight to maintain segregation in the South.

The statement was made by the Rev. Alvin Horn of Talladega, Ala., to about 235 robed men, women and children.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 163

THE NEW YORK TIMES
FRIDAY, DECEMBER 28, 1956

BIRMINGHAM DEFIANCE ENDS

By Clarence Dean
Special to The New York Times

BIRMINGHAM, Ala., Dec. 27—Negro leaders called off tonight, pending a court test, their open defiance of a city ordinance requiring segregated seating in public buses.

The Rev. F. L. Shuttlesworth, president of the Alabama Christian Movement for Human Rights, emerged at 7 P.M. from a two-hour meeting of the executive board and announced:

"Since the issue is properly one for the courts, we now believe that all purposes can be settled in the courts.
[fol. 951] "It is not necessary for our citizens to ride unsegregated buses further at this time."

The effort actually had been suspended prior to the statement. Comparative quiet had returned to this industrial city of 330,000, where the Negroes' organized challenge of the ordinance has caused the bombing of one house and the arrest of twenty-two persons.

In contrast to yesterday, when at least forty Negroes took seats in the forward part of buses—reserved under the City Code for whites—only a handful did so today. There were no incidents, and up to 7 P.M., there had been only one arrest in addition to the twenty-one yesterday.

Mr. Shuttlesworth said that yesterday's demonstration had served its purpose and little was to be gained now by further mass action.

Two actions had been achieved, he said. "We showed we had the courage to do it," and a vehicle had been provided for getting the issue before the United States District Court.

The test here followed a Federal Court order that went into effect in Montgomery, Ala., last Friday. A similar city ordinance there was declared void.

The persons arrested here were freed under $100 bonds furnished by a near-by bail bond concern, for trial before Recorder Ralph E. Parker Jan. 3.

SHOTS HIT 2 BUSES

MONTGOMERY, Ala., Dec. 2 (AP)—Unidentified gunmen fired on two city buses last night but no one was injured.

One of the newly integrated buses was peppered by a load of birdshot at close range. The tiny pellets hit the metal part of a window and did not penetrate the glass.

Nine .22 caliber bullets were pumped through windows of the other bus, which was empty except for the driver.

Four Negroes were riding the bus that was struck by the shotgun blast. They refused to give their names to the [fol. 952] bus driver and left the scene before investigating officers arrived.

A City Commissioner, Frank Parks, observed that if such acts continued and someone was killed or hurt he would vote to suspend the city transit service.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 164

THE NEW YORK TIMES

WEDNESDAY, JANUARY 14, 1959

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL)

ALABAMA JURORS OFFER VOTE FILES

CIVIL RIGHTS UNIT REVIEWS BARBOUR COUNTY DATA, BUT STUDIES BULLOCK'S TERMS

By Claude Sitton
Special to The New York Times

CLAYTON, Ala., Jan. 13—The grand juries of Barbour and Bullock Counties invited the Civil Rights Commission today to examine voter registration records turned over to them by State Circuit Judge George C. Wallace.

[fol. 953] Four of the agency's representatives immedi-

ately began a review of the Barbour County files in the courthouse here.

However, a commission spokesman declined to say whether the Bullock invitation would be accepted. The strong wording it used in pointing out that access to the files was a privilege granted by the jury and not a right was seen as possible ground for rejection.

The development came as a surprise in the month-long controversy over the commission's investigation into complaints from would-be Negro voters. It marked a reversal in the pattern of outright defiance set by Judge Wallace.

Judge Bars Inspection

The judge refused to allow inspection of the documents while they were in his custody despite a Federal District Court order issued by Judge Frank M. Johnson, Jr. last Friday in Montgomery.

Judge Johnson is expected to decide tomorrow whether to hold the state judge in contempt and possibly sentence him to jail. He had set a hearing for 9:30 A.M. to receive a report from a Justice Department attorney representing the commission as to whether the records were made available.

The latest instance of defiance by Judge Wallace came this morning in near-by Union Springs when he again refused to turn over the Bullock County files to commission investigators. Instead, he placed them in the hands of a hastily called grand jury.

As he told the jurors yesterday, he fully realized that he might be penalized severely for his refusal to obey the court's order.

Ignored the Subpoena

"I ignored the subpoena," he said in reference to a commission summons directing him to bring the records to the agency's first hearing in Montgomery last Dec. 8. He also pointed out that he had not complied with subsequent attempts to obtain the files. He said:

"I made a statement that I would turn the records over to you (the grand jury), and I'm doing what I told you

[fol. 954] I would do. I'm willing to take whatever consequences result from that action."

Meanwhile, the jury here was called back into extraordinary session this morning. It then issued a report in which it offered to permit the commission to see the Barbour County files in the presence of Sam A. LeMaistre, a court official.

The jury's report, directed to Judge Wallace, praised the stand taken by him in the controversy and "the manner in which you handled these records in an attempt to keep them inviolate and to maintain the integrity of your court."

The commission investigators arrived at the courthouse from Union Springs shortly before noon and began their check of the records about 1 P.M.

At 4 P.M., the Bullock County grand jury recessed and issued its invitation to the commission by telephone. The foreman, Roy C. Holmes, said that A. H. Rosenfeld, director of the commission's division of complaints, information and surveys, had told him that he would give him an answer later.

As in the case of Barbour County, the Bullock jurors noted that the records had been impounded by Judge Wallace for an investigation into alleged fraudulent attempts to register. They also said they did not feel that their investigation would be hampered if the commission examined the files in the presence of the foreman and Richard B. Stone, circuit solicitor.

However, the Bullock grand jury added,

"Since these records are in our custody we say to the commission: "These records may be used by you by reason of our permission rather than your right. You may see them only under the rules set by us."

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 165

THE NEW YORK TIMES

WEDNESDAY, APRIL 13, 1960

RACE ISSUE SHAKES ALABAMA STRUCTURE

By Harrison E. Salisbury
Special to The New York Times

[fol. 955]

BIRMINGHAM, Ala., April 9—Under the corrosive impact of the segregation issue, Alabama's political and social structure appears to be developing symptoms of disintegration.

The lines between legality and extra-legality are becoming blurred. The police force is not the only power frequently utilized to terrorize the citizenry, both white and Negro. The distinction between exercise of state power and mob power is being eroded.

In this crisis demands are raised more and more frequently for the conventional apparatus of the state—the educational system, the political machinery and governmental organs—to be dissolved, deliberately paralyzed or distorted beyond recognition.

Such proposals began with demands for the dissolution of the state educational system. Legislation to achieve this has been approved but not implemented.

But proposals have spread to the core of the state political apparatus itself. There is rising talk of dissolving county governments rather than permitting Negroes to play even a token role in them. There are proposals to substitute a convention system for the State Legislature rather than let Negroes sit in the same body with white men.

The integrity of the electoral system is being undetermined by schemes under which electors named on the Democratic ticket would pledge themselves to work against the election of the Democratic candidate.

In this kind of political atmosphere there is little or no barrier to the growth and influence of organizations and movements dedicated to hate, intolerance and terror.

Since early March, when a Negro church demonstration nearly precipitated a blood bath on the steps of the Capitol at Montgomery, there has been a rapid spread through Alabama of a new extra-legal device, volunteer organizations of mounted deputies.

The volunteer horse patrols have appeared in five counties—Shelby, adjacent to Birmingham, and four so-called Black Belt counties. The Black Belt counties are a band of central Alabama counties so-called for their fertile black [fol. 956] soil. They were the heart of the old cotton-slave-plantation economy and their legacy is the state's highest concentration of Negro population.

500 Sworn In

In one small Black Belt county seat, Selma, more than 500 special deputies have been sworn in. They provide their own horses and guns. The Sheriff gives them badges. They are the rough equivalent of vigilantes of the Wild West vigilantes of the Wild West. One Alabaman who has watched the development closely expressed concern that the posses might assume the character of legalized night riders.

"In many of the areas where the mounted units have been formed," this man said, "the only persons with horses and riding experience are the plantation men, many of them already members of night-riding organizations. This gives legal license to their activities."

Another observer, however, suggested that deputization of the riders might put them under some measure of control since violations of civil rights by law enforcement officers were subject to inquiry by the Federal Bureau of Investigation.

Ku Klux Klan groups, always an influence in Alabama, flourish in the present atmosphere. The burning of crosses as an intimidation or threat occurs daily in one locality or another.

There is little secrecy about membership. A Birmingham suburbanite readily points out that Klan members who live in his block, their meeting place is well known in the community. Klan members have called openly on

Gov. John Patterson in the Governor's mansion in Montgomery.

According to a reliable source, there are four principal Klan groups operating in the state. One, the "U. S. Knights of the KKK," is an organization with headquarters in Atlanta. Its Alabama branch is headed by Robert Shelton of Tuscaloosa. The "Dixie KKK," concentrated mostly in northeastern Alabama, is headed by Kenneth Adams of Oxford, Ala. The "Original KKK of the Confederacy," a newly organized outfit, leader unknown, functions largely in Montgomery and Birmingham, and the "Gulf KKK" has headquarters in Mobile.

[fol. 957] A Familiar Sight

Alabama has a law against the wearing of masks. However, the sight of the hooded, night-shirted klansman, often wearing a mask, is becoming familiar in Alabama and to its citizens.

While Klan terror is directed principally against Negroes and against whites thought to have some sympathy with Negro aspirations it also carries strong anti-Semitic undertones. Sometimes there are overtones.

In the opinion of a highly competent Jewish observer who has lived in the South most of his life, the Jew, rather than the Negro, is the most hated target of the extremist wing of the segregationist movement.

After 16-year-old Jerry Hunt tossed a fire bomb at a synagogue two weeks ago at Gadsden, Ala., and then opened up with a rifle on the congregation, a large number of crosses were burned in adjacent Calhoun County.

The Fayette County Times commented:

"Such a display is indicative of the belief that some people thought the youngster was right and it might be considered a 'warning' to those who would prosecute."

The Birmingham Jewish community was disturbed to read in a local newspaper sympathetic articles about the youth, describing him as a "clean-cut, crew-cut blond" youngster, devoted to his parents and his stamp collection.

Although evidence indicated the youngster had associates, none was apprehended. Last week he was admitted

to bond and released. The presiding judge said he saw no reason to call a special grand jury in the case, which has been put over to July. There is skepticism in some quarters that the youngster will ever stand trial.

An open and active link between anti-Negro racism and anti-Jewish prejudice is provided by such men as retired Admiral John C. Crommelin, self-styled "white man's candidate" for public office. He calls Jews the real enemy of "white Christian Alabamians," asserting that they control the National Association for the Advancement of Colored People.

[fol. 958] Viewpoint Deplored

The Crommelin viewpoint is deplored even by many violent segregationists. But it seems to have wider acceptance than many Alabamans will publicly admit.

A policeman investigating the attempted dynamiting of a Birmingham synagogue was asked if he did not think it a terrible. "It is bad all right," he repied. "But you have to admit that you Jews brought it on yourselves by encouraging the Negroes to integrate."

John Temple Graves, editorial columnist for The Birmingham Post-Herald, last week expressed probably a more widespread Alabama viewpoint on anti-Semitism. He wrote:

"Even if it made sense or were civilized or Christian or American anti-Semitism is simply too big and ugly a load for Southerners to carry with their already big and ugly Negro problem."

Birmingham's loud-voiced Police Commissioner, Eugene Connor, insists that he is just as opposed to anti-Semitic activities as he is to the Negro rights movement. His men apprehended two young men with an old-fashioned bazooka in which dynamite and anti-Semitic literature were found. They had parked beside a synagogue and told a Negro watchman they were going to blow the place up.

But the young men did not go to prison. They were freed on their own cognizance by the judge when the witness did not appear. Neither the witness nor the rabbi of the synagogue had been told the case was coming up.

It does not seem likely the state structure in Alabama

will actually disintegrate under the pressure of the situation. But the disintegrative pressures are severe and increasing.

If the Federal registrar plan actually enables Alabama Negroes to vote in large numbers many Black Belt citizens are ready and willing to pull the whole state apparatus apart to thwart them.

Macon County in the heart of the Black Belt, with 84 per cent of its population Negro, has already obtained legislative permission to dissolve. It proposes to split itself among neighboring counties in order to prevent Negroes from winning control of it. The neighboring counties are not pleased at the prospect.

[fol. 959] Gigantic Gerrymander

However, it is not inconceivable that the whole county structure of the state might be modified in a gigantic gerrymander, or redivision of boundaries, to create stable white majorities in each county unit.

In the state as a whole the white population in this year's census is expected to be about 70 per cent, an enormous rise from the 54.7 per cent white population of 1900. But whites are greatly outnumbered in the Black Belt counties. In many of them, such as Greene County (83 per cent Negro) and Wilcox (70 per cent Negro) no Negroes now vote.

Even if Alabama had the political will to achieve positive solution of its problems it would be badly handicapped by existing disfranchisement, which affects whites almost as severely as Negroes.

The state has not been legislatively reapportioned since 1901. In the interim there have been enormous population changes—the growth of the 600,000 metropolitan community of Birmingham, the enormous population increase in the Tennessee Valley, the rise of Mobile and Gulf Coast industry and the exodus of both whites and blacks, particularly from the Black Belt counties.

In recent years Alabama has been lagging behind the population parade, barely holding even and failing to maintain the rate of increase of more politically livable and economically attractive regions.

This has produced extreme disparities in political power. The Black Belt areas with the smallest white vote have the greatest relative political weight. North Alabama and the metropolitan areas are almost as badly under-represented as the Negroes.

Jefferson County (Birmingham), with 600,000 population has seven members of the state House of Representatives out of 106 for the state's total population of 3,000,000. Mobile and Montgomery, with 500,000 population, have only three representatives each.

Even so, the Black Belt counties would not be able to maintain their stranglehold on state government and their [fol. 960] retrograde influence on state policy were it not for a powerful ally, the big industry of Birmingham. The biggest of Birmingham's so-called "big mules" is United States Steel, whose subsidiary Tennessee Coal and Iron, dominates the city economically and, to a considerable extent, politically.

The "big mules" and the Black Belt cooperate and, together, usually run the state. The long years of big-company dominance have stultified Birmingham's political development. The relationship between company and city is suggested by the local nickname for T.C.I.'s modernistic new headquarters building situated on a commanding ridge overlooking the great Fairfield steel works. It is called "Fort Weible" after Arthur Weible, the chief executive of T.C.I.

"So long as the alliance between the big mules and the Black Belt can be maintained," A Birmingham political observer said, "there isn't much chance for any change in the climate of Alabama politics."

But changes may be in the making. Alabama will lose at least one Congressman in the redistricting that will follow this year's census. Governor Patterson is threatening to use this as a whip to reapportion the Legislature. He has said he might allow the state to elect Congressmen at large, giving them all to northern Alabama because of the population concentration, unless the legislators agree to reapportionment.

This might set in progress positive political forces. Northern Alabama is far more liberal and progressive

than the ultra-reactionary Black Belt. Or if the Alabama Negro actually got the vote (only 70,000 now vote) this could set in motion forces of change.

Whether either of these events could evolve quickly enough to spare Alabama the consequences of spiraling erosion of state power structure may be open to question. "Things will get better some day," a philosophical Alabamian said. "But first, I'm afraid they will get a lot worse."

[fol. 961]

ELECT

JOHN G. CROMMELIN

"The Whiteman's Candidate"

to the

UNITED STATES SENATE

As your senator I will ATTACK and EXPOSE the Anti-Defamation League of B'nai B'rith (ADL), the malarial mosquito of integration and real hidden enemy of White Christian Alabamians. THIS MUST BE DONE.

The ADL (all jew) is the mosquito; the NAACP (jew controlled negro) is the germ.

YOUR VOTE AND INFLUENCE WILL BE APPRECIATED

Subject to Democratic Primaries May 3 and 31, 1960

(Box 441, Wetumpka, Ala. (Pd. Pol. Adv. by John G. Crommelin)

ACTIVE LINK IN RACISM: Anti-Negro and anti-Jewish prejudice in poster is provided by John G. Crommelin, the "white man's candidate" in Birmingham, Ala. Viewpoint is deplored by many violent segregationists.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 166

THE NEW YORK TIMES APRIL 12, 1960

FEAR AND HATRED GRIP BIRMINGHAM

RACIAL TENSION SMOLDERING AFTER BELATED SITDOWNS

By Harrison E. Salisbury
Special to The New York Times

BIRMINGHAM, Ala., April 8—From Red Mountain, where a cast-iron Vulcan looks down 500 feet to the sprawling city, Birmingham seems veiled in the poisonous fumes of distant battles.

On a fine April day, however, it is only a haze of acid fog belched from the stacks of the Tennessee Iron and Coal [fol. 962] Company's Fairfield and Ensley works that lies over the city.

But more than a few citizens, both white and Negro, harbor growing fear that the hour will strike when the smoke of civil strife will mingle with that of the hearths and forges.

It is not accidental that the Negro sit-in movement protesting lunch-counter segregation has only lightly touched brooding Birmingham. But even those light touches have sent convulsive tremors through the delicately balanced power structure of the community.

The reaction has been new manifestations of fear, force and terror punctuated by striking acts of courage.

No New Yorker can readily measure the climate of Birmingham today.

Whites and blacks still walk the same streets. But the streets, the water supply and the sewer system are about the only public facilities they share. Ball parks and taxicabs are segregated. So are libraries. A book featuring black rabbits and white rabbits was banned. A drive is on to forbid "Negro music" on "white" radio stations.

Every channel of communication, every medium of mutual interest, every reasoned approach, every inch of middle

ground has been fragmented by the emotional dynamite of racism, reinforced by the whip, the razor, the gun, the bomb, the torch, the club, the knife, the mob, the police and many branches of the state's apparatus.

In Birmingham neither blacks nor whites talk freely. A pastor carefully closes the door before he speaks. A Negro keeps an eye on the sidewalk outside his house. A lawyer talks in the language of conspiracy.

Telephones are tapped, or there is fear of tapping. Mail has been intercepted and opened. Sometimes it does not reach its destination. The eavesdropper, the informer, the spy have become a fact of life.

Volunteer watchmen stand guard twenty-four hours a day over some Negro churches. Jewish synagogues have floodlights for the night and caretakers. Dynamite attempts have been made against the two principal Jewish [fol. 963] temples in the last eighteen months. In eleven years there have been twenty-two reported bombings of Negro churches and homes. A number were never reported officially.

Community of Fear

Birmingham's whites and blacks share a community of fear. Some Negroes have nickhamed Birmingham the Johannesburg of America.

"The difference between Johannesburg and Birmingham," said a Negro who came South recently from the Middle West, "is that here they have not yet opened fire with the tanks and big guns."

"I have lived in Alabama all my life," said a newspaperman. "Birmingham is going to blow one of these days. And when that happens that's one story I don't want to be around to cover."

"Remember," a businessman said, "Birmingham is no place for irresponsible reporting. Be careful of what you say and who you mention. Lives are at stake."

"I'm ashamed to have to talk to you off the record," said an educator. "It is not for myself. But these are not ordinary times. The dangers are very real and people up North must realize that."

"Excuse me," an educated Negro woman said. "But I

just don't understand the white people around here. They seem to act so crazy. It doesn't make any sense. Don't they know there is a limit to what people will stand?"

"If you sow hate, you reap hate," said a Negro pastor.

The Birmingham of another era, that of the happy-go-lucky, ignorant Negro, the serio-comic dramas of Eighteenth Street (the Harlem of Birmingham), and the setting of Octavius Roy Cohen and his Florian Slappey stories, has vanished. Gone with it is Birmingham's fabulous Judge Abernathy, who let Negro prisoners determine the length of their stay in the Birmingham jail with a roll of the dice.

Quiet in Early Phases

When the Negro student sit-in movement reached Birmingham ten days ago it set in motion a sequence of events almost reflexive in character.

[fol. 964] Birmingham has been quiet during the early phases of the student protests. Two months ago a dozen Negro students went to a public park and began a brief "prayer for freedom." It was curtailed when the police arrested the students on a charge of public disorder.

Then on Thursday, April 2, ten Negro students went two by two into five downtown Birmingham stores. They made small purchases and sat at the lunch counters. All were arrested immediately on charges of trespassing. They were held eighteen hours before being able to make bond.

The next seventy-two hours were busy ones for the Birmingham police. They arrested three Negro ministers, the Rev. F. L. Shuttlesworth, the Rev. Charles Billups and the Rev. C. Herbert Oliver. Mr. Shuttlesworth was arrested twice on successive days.

Each of those arrested was charged with "vagrancy." In addition, Mr. Reeves and Mr. Oliver, who was hauled barefooted and in his bathrobe from his home, were charged with "intimidating a witness."

By Birmingham custom, persons charged with vagrancy are not admitted to bail. They are held incommunicado for three days. In actual practice, such a prisoner is sometimes permitted to make one telephone call. But not always. A person arrested on a vagrancy warrant simply disappears

for three days. His friends and family may not know what has happened to him.

A Favorite Technique

This is a favorite technique of Birmingham's Police Commissioner, Eugene Connor. Mr. Connor is a former sports broadcaster known as "Bull" because of the timbre of his voice. He served as Birmingham Police Commissioner for sixteen years in the late Nineteen Thirties and Nineteen Forties. His administration was a stormy one.

He went into eclipse for several years but made a comeback in 1958, running on a platform of race hate.

"Bull is the law in Birmingham, like it or not," a business man said.

Mr. Connor is the author of many widely quoted aphorisms. He once said:

[fol. 965] "Damn the law—down here we make our own law."

On another occasion he declared:

"White and Negro are not to segregate together."

"Only legitimate hold-ups will be investigated," he announced after evidence had been uncovered that some Birmingham robberies were inside jobs.

Mr. Shuttlesworth has been a frequent target of Mr. Connor's men. He has three cases on appeal. His church has been bombed twice. In one bombing his home was destroyed. Both he and his wife were injured and a white pastor was badly manhandled by a Birmingham mob when the three of them sought to use the white waiting room of the local bus depot.

A test of the forces symbolized by Mr. Connor is now in the making—a product of the seismic Birmingham reaction to the Negro student sit-ins.

It centers on young Reeves. He is a slight youngster weighing about 137 pounds and standing five feet eight inches. He wears horn-rimmed glasses, suffers from asthma and is noticeably shy and diffident.

Centers on Student

He has been charged by the police with "intimidating a witness." The witness presumably was one of the ten Negro students arrested for sit-ins.

The parents of young Reeves have received threats of death. The youth has been restricted to the campus of Birmingham Southern, technically on administrative probation. Actually, the step is for his physical protection.

A cross was burned on the Birmingham-Southern campus, possibly because of Reeves case, possibly because ninety-seven Birmingham Southern students had signed a petition to Gov. Patterson protesting his action in forcing Alabama College to expel Negro sit-in demonstrations. The petition did not protest segregation. It protested political interference with the academic process.

Dr. Henry King Stanford, president of Birmingham [fol. 966] Southern, has been subjected to extraordinary pressures. But he has not buckled under. He supported the right of his students to send their petition to Governor Patterson on the ground of academic freedom. When he was confronted with threats and demands that young Reeves be expelled he again stood his ground. He declined to pre-judge the case.

The Price of Courage

In Birmingham this kind of courage does not come cheaply. Dr. Stanford has been told that the college's position in the Reeves case will cost it a minimum of $1,500,000. This is the amount that the college had hoped to raise in a drive for badly needed building funds this year.

But as one Birmingham citizen said, "You weigh the situation. You take the counsels of caution. You listen to the voices which say don't rock the boat. But finally the time comes when a man has to stand up and be counted."

If fear and terror are common in the streets of Birmingham, the atmosphere in Bessemer, the adjacent steel suburb, is even worse.

On the night the Birmingham police arrested Mr. Shuttlesworth a band of floggers went to work in Bessemer.

The victim was a white woman, Barbara Espy, 19 years old, a former WAC. She was seized by four or five men, dragged into a car, beaten until she signed a confession that she had been "dating" Negroes.

She has since sworn out warrants charging that she was

abducted and beaten by a sheriff's deputy, an alderman and three other persons.

The sheriff repeatedly refused to entertain charges against his deputy. The Federal Bureau of Investigation has been asked to look into the case for possible violation of civil rights.

One of the students who participated in the "prayer for freedom" lived in Bessemer. An evening or two later seven carloads of hooded men roared into the street where the youngster lives with his mother and sister.

Armed with iron pipes, clubs and leather blackjacks into which razor blades were sunk the men attacked the boy and [fol. 967] his mother and sister. The mother and sister protected the boy with their bodies. The men broke a leg of the mother, smashed open her scalp and crushed her hands.

Forty-five minutes after the alarm had been given, the police arrived, but the band had fled. The next day two deputies visited the mother in the hospital. She recoiled in horror. They were two of those who had beaten her, she said. No charges were lodged.

"She is afraid to say anything," a man familiar with the case declared.

A year ago a Negro girl and a white girl, both elementary pupils, quarreled on the way to school. A white man emerged from a nearby house with a bull whip and flogged the Negro girl. The police failed to respond to a call from the Negro school principal.

For weeks Negro children had to go to school an hour early and were held in school an hour late so they would not come into contact with white children.

The list of beatings, intimidations and violence could be continued almost indefinitely.

But not everything goes according to plan.

At the height of the last week's tension the Harvard debating team came to town. It met in an open and publicly announced contest with the debate squad of Miles College, a Birmingham Negro school.

Whites and blacks talked from the same platform. Whites sat with blacks in the audience in violation of one of Birmingham's most cherished ordinances. No policemen ap-

peared. It could not have been more normal or peaceful had the contest been held in Cambridge, Mass.

[fol. 968]

(Three photographs attached to original.)

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 167

THE NEW YORK TIMES SUNDAY, APRIL 3, 1960

CLERGY EXHORTED TO HELP NEGROES

A CONGREGATIONAL LEADER TELLS SOUTHERN GROUP TO ENCOURAGE PROTEST

By Harrison E. Salisbury
Special to The New York Times

ANDALUSIA, Ala., April 2—In the heart of Alabama's segregationist belt, Southern Congressional clergymen heard an appeal today to join ranks with Negro students to fight against segregation and discrimination.

The appeal to the Southern clergy was made by the Rev. Dr. Truman B. Douglass, executive vice president of the Board of Home Missions of the Congregational Christian Churches in New York. He spoke before the Southern Convention of Christian Congregational Churches, representing about 200 all-white churches in Alabama, Georgia, South Carolina, Tennessee and Kentucky.

Dr. Douglass made one of the sharpest attacks on the traditional Southern segregationist attitude heard by a [fol. 969] Southern religious body in recent years.

'Alliances with Rebels'

"A church that is alert to its task will frequently find itself making alliances with the rebels, the insurgents, the non-conformists in our society," Dr. Douglass said. "The world cannot survive a perpetuation of interracial injustice and an intensification of interracial strife."

He delivered his remarks in the plain red-brick First Congregational Church of this South Alabama city of 10,000 population.

It was filled with about 200 Congregational ministers and some laymen from Southern Congregational churches.

"The church ought to be on their side (that of the student demonstrators). It ought to support and encourage their rebellion.

"When I consent to the restricting of another person's right to declare his convictions—for example on the pretense that this may be an incitement to riot—I am relinquishing my own right to live by the instruction of my conscience and to be obedient to what I may be able to discern of the will of God."

The Congregationalist Church in the North has played a leading role in the struggle for a reduction of racial tensions. However, in the Southern states the church is segregated. And Alabama, where the convention was held, is in the forefront of the South's drive to maintain segregation of white and Negro races.

However, Dr. Douglass called on his colleagues to support "orderly protest against injustice and discrimination."

Basic Liberty Cited

The right to protest by word and deed against established authority is one of the most basic of our liberties, he said. "Its maintenance is especially precious to the church."

"The church has a basic identity of interest with the nonconformist," he said, "and to fail to support orderly protest is to deny its own prophetic heritage."

He called on Christians to "renew and deepen" their commitment to liberty, which he said was an essential portion of [fol. 970] standing and the Christian creed.

And he urged members of the church to attempt to recover what he called "a true understanding of the nature of the church itself."

"One of the first things to be said," Dr. Douglass declared, "is that in the church I do not choose my brother. In the church my brother is given to me. This brother may be an offensively pious deacon who is a thundering bore. This brother may be a meddlesome president of the ladies'

aid who has a compulsion to manage all sorts of things that are not her business. My brother may be a member of another race toward whom I have a long-standing emotional antipathy."

Dr. Douglass said the church called upon its believers to love "the persons whom they may not like."

He did not limit himself to a discussion of the racial issue in the South. He also attacked the Air Force for the attitude displayed in the issuance of manuals attacking the National Council of Churches and other Protestant groups.

'Cause for Alarm'

Dr. Douglass said it was "a cause for extreme alarm that our country's defenses are in the hands of persons who cannot distinguish between the nation's friends and its enemies."

He continued:

"One also wonders whether the intelligence reports on which the Air Force relies for an appraisal of our military situation are as untrustworthy as the alleged information on which it based its statements about the churches and about church leaders.

"This information was drawn almost entirely from the writings of disgruntled and discredited persons who have attacked responsible church groups and church leaders for having any opinions at all on questions of national policy."

Dr. Douglass said that "in the periods of greatest vitality the church has always been a critical force, an insurgent and even subversive force."

"If the church is to perform this creative redemptive role," he said, "it needs to realize that it has implicit comrades and allies outside itself. A church that is alert to its [fol. 971] task will frequently find itself making alliances with the rebels, the insurgents, the non-conformists in our society.

"We will understand for example, the significance of the involvement of students in all parts of the country in the sit-down protests against lunch-counter segregation. These are rebels against the established order. They want to change it in the name of human decency.

"The church ought to be on their side. It ought to support and encourage their rebellion."

No Sign of Antagonism

The audience received Dr. Douglass' remarks with close attention. There was no visible sign of antagonism. The church was quiet with an almost breathless hush as he spoke on the touchy question of integration.

After the address, questioning of members of the audience produced a variety of responses. One layman from a small Southern Alabama town said, "We have no trouble here with our 'niggers'. It is only those outside agitators who try to stir things up."

However, most of the pastors said the remarks of Dr. Douglass had given them food for thought and were stimulating."

(One Photograph Attached to Original.)

[fol. 972]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 168

THE NEW YORK TIMES

MONDAY, MARCH 7, 1960

NEGROES DISPERSED IN ALABAMA MARCH; ATTACKED BY WHITES

By Claude Sitton
Special to The New York Times

MONTGOMERY, Ala., March 6—A riot was narrowly averted today as Negroes sought to march to the State Capitol here for a demonstration.

Patrolmen blocked the Negroes' path as the column crossed the street from a church a block from the site of the planned anti-segregation prayer meeting on the Capitol steps.

As the police pushed the Negroes back to the church steps, a jeering mob of whites charged the marchers. Several blows were struck.

The police separated the two groups, and mounted deputies and fire trucks moved in to prevent further violence.

The Negroes who numbered about 800, left the church in small groups for their homes after a crowd of 5,000 whites had been dispersed. A newspaper photographer was picked up by the police, but later released on bond. There were no other arrests at the scene.

Tension High in City

Racial tension ran high tonight in this city, the first capital of the Confederacy. Strengthened law-enforcement units patrolled the streets.

The trouble stemmed from a demonstration against a segregated lunch counter ten days ago by students of Alabama State College, a Negro institution.

Nine of the thirty-five students involved in the original demonstration were ordered expelled by the State Board of Education the following day.

Negroes from churches here were requested last Friday to meet today at the Capital for a prayer meeting. Police Commissioner L. B. Sullivan said yesterday that his [fol. 973] forces and those of the state and Montgomery County would disperse them if they attempted to hold the protest.

"Apparently it is the desire and purpose of the Negro troublemakers to further incite the tense situation that exists in Montgoinery," he declared.

A crowd began gathering at noon in front of the Capitol. Some onlookers brought their wives and children. Others, in rough country dress, discussed loudly what they would do if the Negroes appeared.

As some passed a group of spectators on a corner, a white remarked loudly, "There's that nigger with the gold teeth."

A few minutes later a police captain wearing a black leather jacket and white crash helmet, shouted toward the church:

"Can't you tell the time? It's 2 o'clock. Somebody loan 'em a watch."

A crippled white man with a cane stood on the sidewalk in front of the church. As the Negroes passed, he shifted

the cane in an obvious attempt to trip them. After about ten minutes of this, the police told him to move on.

A few minutes after 2, two Negroes emerged from the church and took their places at the head of the line. They were the Rev. Ralph D. Abernathy, president of the Montgomery Improvement Association and the Rev. Robert E. DuBose, Jr.

The marchers paused briefly on the sidewalk until a traffic light had turned green, then moved across the street.

"Let them come! Let them come!" shouted a group of whites as the police moved in to shove the demonstrators back toward the church. Jeers went up from the crowd, and several persons rushed toward the Negroes.

The leaders stood firm, but some marchers bolted for the church steps. Several Negroes stumbled and fell. One or two were struck by the whites.

The police encircled the two ministers and moved back across the street with them to the church. Twenty mounted [fol. 974] Sheriff's deputies placed themselves between the white crowd and the church.

Two fire trucks roared up to the church. Firemen connected their hoses and pointed them toward the Negroes, now standing seeming in bewilderment on the church steps. The whites shouted, "Pour it on 'em."

The Negroes began chanting, "We are not afraid." Then they sang the anthem and the "Battle Hymn of the Republic."

The authorities forced the reluctant crowd to leave the vicinity and shortly afterward the Negroes began leaving the church to walk home.

(One Photograph Attached to Original.)

[fol. 975]

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 169

THE NEW YORK TIMES

— WEDNESDAY, MARCH 2, 1960

1,000 NEGROES JOIN MARCH IN ALABAMA

By Claude Sitton
Special to The New York Times

MONTGOMERY, Ala., March 1—A thousand Negro students prayed and sang the National Anthem today on the steps of the first capital of the Old Confederacy in a peaceful protest against segregation.

Neither the police nor white hoodlums, one of whom attacked a Negro woman with a miniature baseball bat last week-end, attempted to interfere.

High state officials watched from the entrance to the building, which now serves as Alabama's capitol, with an occasional muttered comment.

The likelihood remained that at least some of the demonstrators would be punished. Gov. John Patterson has strongly implied that their leaders should be expelled from Alabama State College, an all-Negro institution. He had called initially for the expulsion of all involved.

Today marked the one month anniversary of the passive resistance movement, which began with the lunch counter "sit-in" in Greensboro, N. C., and later spread over Virginia, Florida, South Carolina, Tennessee and Alabama.

Orderly March Urged

The students gathered at 8:45 A.M. on the Alabama State College campus. One of their leaders, Elroy Embry, warned that "if anyone thinks that they cannot be orderly they can help us better by staying here."

Then they set out on the march of more than a mile to the stately Colonial building on a hilltop overlooking downtown Montgomery. The students came silently by two's as white-helmeted motorcycle policemen roared ahead of the column or sat watchfully along the way.

[fol. 976] It was Mardi Gras day in Alabama and capitol offices were closed. The students lined up thirty-five abreast on the white marble steps at the front entrance just below the spot where Jefferson Davis took the oath of office as President of the Confederate States of America ninety-nine years ago.

At a word from one youth, they bowed their heads and said The Lord's Prayer in unison. Then the students sang "The Star Spangled Banner."

The students re-formed into a column of two's and marched back to the campus where they were dismissed by a leader. The demonstration had lasted for twenty-five minutes.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 170

THE NEW YORK TIMES

TUESDAY, JANUARY 27, 1959

U.S. COURT CLEARS ALABAMA JUDGE IN RIGHTS DISPUTE

FINDS WALLACE OBEYED EDICT TO ASSIST FEDERAL INQUIRY WHILE FEIGNING DEFIANCE

By Russell Porter
Special to The New York Times

MONTGOMERY, Ala., Jan. 26—Federal Judge Frank M. Johnson, Jr. freed former state Judge George C. Wallace today on charges of criminal contempt of court in a civil rights case.

Judge Johnson found that Judge Wallace had complied with a court order while pretending to defy it.

On Jan. 15, Judge Johnson ordered Judge Wallace to show cause today why he should not be held in contempt for turning over registration and voting records to "hastily summoned" grand juries, instead of to the Federal Civil Rights Commission.

On Jan. 9 Judge Johnson had ordered Judge Wallace to [fol. 977] make the records available to the commission on Jan. 12 and 13. The commission is investigating charges of discrimination against Negroes.

A Statement Filed

Today, Judge Johnson said the testimony showed that Judge Wallace "through devious methods" had actually helped the commission get the records from the grand juries.

Judge Wallace, whose term expired Jan. 19, did not testify today, called no witnesses, and did not cross-examine any of the five Government witnesses.

However, he filed with the court a written statement that his actions as a state judge had been of a judicial nature and could not be questioned.

After an hour's testimony, Judge Johnson took a three-hour recess for luncheon. He then held Judge Wallace not guilty and discharged him.

Judge Johnson found that Judge Wallace had "attempted to give the impression that he was defying this court's order."

Defiance Ruled Out

He also found, however, that Judge Wallace's action in turning the records over to the grand juries did not constitute defiance or disobedience, "since Wallace, from all appearances, continued to maintain control of said records."

Judge Johnson then noted that the testimony indicated that Judge Wallace had actually helped the commission.

"Even though it was accomplished through subterfuge, Wallace did comply with the order of the court," Judge Johnson said. "If these devious means were in good faith considered by Wallace to be essential to the proper exercise of his state judicial functions, this court could not comment on these methods.

"If these devious means were for political purposes, this court refuses to allow its authority and dignity to be bent or swayed by such politically generated whirlwinds."

Judge Johnson is a Republican and Judge Wallace a Democrat. Judge Wallace ran second on a segregationist platform in the primary for the gubernatorial nomination [fol. 978] last year, losing to another segregationist.

The two judges have been personal friends for years and were classmates at the University of Alabama Law School. Judge Johnson is 40, Judge Wallace, 39.

As Circuit Court judge, Judge Wallace presided over the courts, of highest jurisdictional authority in Barbour, Bullock and Dale Counties.

The courtroom was filled by about 100 spectators, including a dozen Negroes, who sat in the middle of the public area.

Had Hoped to Test Question

MONTGOMERY, Ala., Jan. 26—Judge Wallace later issued a statement saying he had admitted disobeying the Federal order and had hoped his defiance could be taken to a higher authority for ruling.

"It was never my wish to keep the records from the Civil Rights Commission solely for the purpose of hiding anything the records might contain," he said. "It was my position and is still my position that we have here a case of Federal authority against state authority and I was willing to risk my freedom in order to test the question.

"These characters from the Civil Rights Commission and Justice Departments were backed to the wall—they were defied and backed down," he said. "It has been apparent they were hunting a way out. This 1959 attempt to have a second Sherman's March to the Sea has been stopped in the Cradle of the Confederacy."

[fol. 979]

(One photograph attached to original.)

WINNER BY DECISION

George Corley Wallace

(One photograph attached to original.)

[fol. 980]

Special to The New York Times

MONTGOMERY, Ala., Jan. 26—His friends call it determination and his enemies stubbornness, but all agree that the "fighting little judge" of Barbour County is a competitor who seldom gives up.

Man in the News

George Corley Wallace has become at 39 years a symbol of Southern defiance to the Civil Rights Commission's effort to gather information about discrimination against would-be Negro voters. He won another victory today when Federal Judge Frank M. Johnson, Jr. found him not guilty of criminal contempt for refusing the Federal agency access to voter registration records. It was an unusual court appearance, for Judge Johnson, who has been firm in the defense of Federal prerogatives, is a friend and former law school classmate of the defendant.

The Circuit Court judge's six-year term ended just a week ago, on Jan. 19.

Mr. Wallace was born in Clio, the son of a farmer who served for a time as the county's chief administrative officer. The boy's love of a fight came out while he was still in high school. He won the state Golden Gloves championship in 1936 at the age of 15 and repeated the next year. He later fought some preliminary bouts as a professional.

Two Comebacks

He has twice scored a comeback against long odds. His father died while he was in high school, leaving the family with little money. But he finished and then worked his way through the University of Alabama Law School.

In World War II he volunteered for pilot training but was washed out by spinal meningitis. He was soon back in the air as the engineer of a B-29 flying missions over Japan.

His defiance of the commission marks his second challenge to Federal authority since he gave up his House seat in 1953 to preside over the state's Third Judicial Circuit. The first came when he threatened to jail every Federal Bureau of Investigation agent caught interfering with his court.

Although he is a staunch advocate of state's rights and [fol. 981] segregation, he refused to walk out with some members of the Alabama delegation to the 1948 Democratic National convention. He placed the name of Senator Rich-

ard B. Russell of Georgia in nomination for the Vice-Presidency that year.

"Little George," as he is often called, stands 5 feet 7 inches tall and weighs 135 pounds.

Ran for Governor

He was runner-up to incoming Gov. John Patterson last spring in the Democratic primary. But his margin of defeat was not great—314,000 to 250,000—and he is regarded as a certain candidate for 1962.

To Mr. Wallace, the controversy over the voting records involves "a matter of principle."

Mr. Wallace declared himself out of the race for the judgeship when he ran for Governor. He was succeeded last week by his brother, Jack W. Wallace, and has now returned to the Wallace law firm in Clayton.

The job of presiding over the courts of highest jurisdiction in three counties—Barbour, Bullock and Dale—is a busy one. Life off the bench may give him more time at home with his wife, Mozelle, his two daughters, Bobbie Jo, 14, and Peggy Sue, 9, and son, George 3d, 7. It also may mean more time for his hobby, which he says is fishing but his friends say is politics.

(One photograph attached to original.)

[fol. 982]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 171

THE NEW YORK TIMES

FRIDAY, JANUARY 16, 1959

ALABAMA JUDGE FACES U.S. ACTION

WALLACE CITED FOR CONTEMPT HEARING IN HIS DEFIANCE IN VOTING FILES INQUIRY

By Claude Sitton

(Special to The New York Times.)

(One photograph attached to original.)

MONTGOMERY, Ala., Jan. 15—Judge George C. Wallace was ordered today to show why he should not be held in criminal contempt for refusing the Federal Civil Rights Commission access to voter registration records.

Judge Frank M. Johnson, Jr. of the Federal District Court directed the state circuit judge to appear for a hearing here Jan. 26 at 10 A. M.

The Federal Judge acted in answer to a petition from Justice Department lawyers representing the commission. It grew out of the agency's first field investigation into com- [fol. 983] plaints from would-be Negro voters.

The lawyers charged that Judge Wallace had "willfully violated" the court's order to permit the agency to examine the registration records of Barbour and Bullock Counties and instead had given them to hastily called grand juries. Judge Johnson declared that these charges showed "good cause" why the jurist "should be prosecuted for criminal contempt."

Faces Jail and Fine

Judge Wallace could be sentenced to forty-five days in jail and a $400 fine if found guilty by Judge Johnson sitting without a jury. If the Federal Judge ordered a jury trial, the maximum penalty could be raised to six months' imprisonment and a fine of $1,000.

Judge Wallace declined to comment on the order issued against him by Judge Johnson, his personal friend and former classmate at the University of Alabama Law School.

The State Judge, who was the runner-up to incoming Gov. John Patterson in the Democratic primary, will end his six-year term Monday. He will be succeeded as judge by his brother, Jack W. Wallace, and thus will not appear before the Federal judge as a state jurist.

His refusal to show the records risked the displeasure of a judge who is regarded as a fair but stern disciplinarian.

Judge Johnson, a Republican from Haleyville, Ala., was a member of the three-judge panel that handed down the Montgomery bus desegregation decision.

Documents Examined

Two Justice Department lawyers from Washington, Joseph M. F. Ryan, Jr. and Robert Owen, reported to Judge Johnson that the commission had been able to examine the Barbour and Bullock files despite harassment through "dilatory tactics and other childish conduct." The files were made available by the grand juries.

Mr. Ryan reported that a spot check of the documents had been given although they had been given to the commission in a "jumbled-up form." It was learned that photostats had been made of some of the Bullock records.

[fol. 984] Mr. Ryan said no further relief was sought because the commission's questions had been answered by three voter registrars who had refused to testify at the commission's first hearing here Dec. 8. The civil case against the judge and the registrars was dropped.

Judge Johnson dismissed a civil action with the comment that "although dilatory tactics and formal refusals were engaged in, this court's order was, in fact although not technically, complied with by Wallace."

He then directed the Justice Department attorneys to file petition for a criminal contempt action against the circuit judge and an order directing him to appear.

In the law, criminal contempt refers to acts in disrespect of the court or its process. Vicil contempt involves failure to obey the court in an action for the benefit of another party to the proceedings.

The order, signed by the judge, noted that the commission had charged Judge Wallace with refusing a request for the records on Monday at the Barbour County Court House.

The agency also contended that the judge had turned down a plea for the Bullock County records Thuesday. The order stated that it appeared to the court "that good cause had been shown that George C. Wallace should be prosecuted for criminal contempt of this court."

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 172

THE NEW YORK TIMES

THURSDAY, JANUARY 15, 1959

COUNTY IN ALABAMA YIELDS VOTING FILES ON ITS OWN TERMS

By Claude Sitton
Special to The New York Times

UNION SPRINGS, Ala., Jan. 14—The Civil Rights Commission reluctantly accepted an invitation today to examine voter registration records here under terms laid down by the Bullock County grand jury.

[fol. 985] The agency at first rejected the offer because of the harsh tenor of its wording, but later proceeded with the injury under orders from Federal District Judge Frank M. Johnson, Jr. in Montgomery.

The question that remained to be settled in the month-long controversy over the investigation into alleged violation of Negro voting rights was the fate of Circuit Judge George C. Wallace of nearby Clayton.

The state jurist, a runner-up to Gov.-elect John Patterson in the Democratic primary, admittedly defied a District Court, order that he turn over the records of Bullock and adjacent Barbour County to the commission.

Instead he gave them to hastily called grand juries on the ground that they were needed for investigations of charges of fraudulent registration attempts.

The commission is scheduled to report tomorrow in Montgomery to Judge Johnson on its efforts to obtain the documents. He is expected to decide then if Judge Wallace, a personal friend and former law-school classmate, should be cited for contempt and possibly sent to jail.

The hearing, however, originally set for today, was postponed at the request of two Justice Department attorneys who are representing the Civil Rights Commission.

Judge Johnson was asked tonight if Judge Wallace had cleared himself since the voter records were made available indirectly to the commission.

"You'll have your answer in a few days," he replied.

The Federal judge said that he had directed the commission's representatives to proceed despite the stipulation of the grand jury because "I assumed that the commission was primarily interested in seeing the records."

Records are Reviewed

A. H. Rosenfeld, director of the Division of Complaints, Information and Surveys, had previously declared that under the terms of the District Court order issued last [fol. 986] Friday against Judge Wallace the agency would not accept the files from the juries.

Mr. Rosenfeld relented somewhat yesterday by reviewing the Bullock records, made available in Clayton by that county's grand jury. However, the invitation came through an official of the Circuit Court.

But until Judge Johnson's statement, the commission's about-face in view of the Bullock County grand jury's attitude was widely regarded here as at least a partial victory for Judge Wallace.

The grand jury stated in the report containing the invitation that the commission could see the records "by reason of our permission rather than your right."

The examination, it held, would have to be conducted in the presence of the foreman, Roy C. Holmes. The jury then praised Judge Wallace's defiant stand and added:

"We feel that the act of the Civil Rights Commission in coming to Bullock County, Ala. and making a respectful request for use of these records rather than making an arrogant demand is evidence tending to show their newfound recognition of state authority for which Your Honor is to be further commended."

David F. Koonce, the agency's public information officer, declared that it had "not in any way bowed to any grand jury or any state judge in Alabama."

"We originally asked through counsel that a way be found for us to inspect the records," he said. "The order of the Federal court provided that way, so we are satisfied."

Mr. Rosenfeld and Mr. Koonce arrived at the courthouse here at 9 A.M. accompanied by Berl L. Bernhard, staff at-

torney, and Burton Stevenson and Charles Clark, legal aides to two of the commissioners.

They conferred with Mr. Holmes and Richard B. Stone, the Counnty Solicitor (prosecutor), for less than ten minutes and emerged from the latter's office for a series of telephone conferences with commission officials in Washington and elsewhere.

Mr. Holmes implied that they had sought to persuade him to delete the offending passages from the order.

[fol. 987] "That's our report and there's nothing I can do about it," he commented later.

Apparently after discussing Judge Johnson's directive with his superiors, Mr. Rosenfeld met with Mr. Holmes and Mr. Stone at 1:30 P.M. and agreed to accept the grand jury's invitation.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 173

THE NEW YORK TIMES

TUESDAY, JANUARY 13, 1959

U.S. COURT DEFIED ON VOTE RECORDS

ALABAMA JUDGE BARS DATA FROM CIVIL RIGHTS GROUP

By Claude Sitton
Special to The New York Times

CLAYTON, Ala., Jan. 12—State Circuit Judge George C. Wallace today defied a Federal court order that he throw open the voter registration records of Barbour and Bullock Counties to the Civil Rights Commission.

After refusing to authorize four commission aides to see the files, he turned over the Barbour County records here to a hastily called special grand jury.

Preparations were being made in near-by Union Springs, the county seat of Bullock, to impanel a grand jury there tomorrow for the same purpose.

The Barbour grand jurors declared in a report that they had offered to allow the Civil Rights investigators to look at the records in the jury room, but that this proposal was refused.

A. H. Rosenfeld, director of the commission's Division of Complaints, Information and Surveys, told newsmen that "we have no authority to deal with the grand jury."

Although the state judge declined to comment, it was generally understood that he was fully aware that he risked a contempt citation and a possible jail term.

[fol. 988] Legal experts said that by handing over the records to the grand jury, the judge had left himself powerless to comply with the court directive and thus to purge himself of any contempt citation.

Judge Frank M. Johnson, Jr. issued an order last Friday in Federal District Court in Montgomery directing the circuit judge to make the records available to the commission today and tomorrow fom 10 A.M. to 4 P.M.

He told all parties to the dispute over an investigation into complaints that Negro voting rights had been infringed to return to court on Wednesday and report whether his order had been carried out.

Mr. Rosenfeld said that he had made two requests to Judge Wallace in a series of conferences in the courthouse here to permit examination of the document. Both were refused, according to him.

Today's events brought a sharpening of tension in this east-central Alabama community of 2,000. A number of officials privately expressed fears that violence might result if the Federal District Court sought to jail the judge.

M. M. Moulthrop, former Mayor of near-by Eufaula, told the 39-year-old judge, "we're not going to let them take you out of your jurisdiction without some show of protest."

"This thing is not to be taken lightly," he later told newsmen. "It's the greatest insult a county could have slapped up on it."

There also was some horse-play directed against the commission representatives. As they sat parked on the courthouse square awaiting word of the grand jury's ac-

tion, the county tax collector, Stanley Baker, set off eight firecrackers under a car adjacent to the one in which they were sitting.

Mr. Rosenfeld arrived at the courthouse at 10:05 A.M. accompanied by Berl I. Bernhard, staff attorney, and Burton Stevenson and Charles Clark, legal aides to two of the commission members.

In his charge to the grand jury, Judge Wallace pointed out that he was leaving office Jan. 19, and that he had impounded the files in October for investigation of charges [fol. 989] that some voters had registered fraudulently. He said he wanted to "clear the way" for his successor, Jack W. Wallace, his brother.

To Examine Records

"I did the best that I could to protect the records of this county in a lawful and legal manner," he declared, "I have no apologies to make for anything I have done for I acted as a matter of principle."

The grand jury recessed until Thursday after deliberations lasting about an hour and a half. In its statement, the jury said it had found "cause for us to examine the records themselves and we have resolved so to do."

The possibility still existed that the judge might file an appeal from the Federal Court's order. Such an appeal was prepared last night but no action was taken today to place it before Judge Johnson.

Judge Wallace presides over the Circuit Court of Barbour, Bullock and Dale Counties.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 174

THE NEW YORK TIMES

SUNDAY, JANUARY 19, 1958

SCHOOL FIGHT OPENS IN DEEP SOUTH

TEST CASE IS SET IN ATLANTA SUIT

By John N. Popham
Special to The New York Times.

CHATTANOOGA, Tenn., Jan. 18—The filing of a public school desegregation suit in the Federal District Court in Atlanta a week ago today poses the first serious assault on the scaffolding of resistance erected by the hard core of Southern states whose political leadership has steadfastly declared "it can't happen here."

The litigation was instituted in behalf of Negro pupils [fol. 990] by ten Negro parents. Their attorneys were Thurgood Marshall and Constance Baker Motley, both members of the legal staff that serves the National Association for the Advancement of Colored People. The case has not yet been assigned a hearing date.

The selection of Atlanta as a battleground underscores the special dimensions of the integration controversy as it affects the all-out resistance forces, particularly since the Little Rock, Ark. developments last fall in which President Eisenhower ordered Federal troops to enforce classroom integration in that city's Central High School.

Token Integration

In the fullest sense there are four hard-core resistance states. They are Mississippi, South Carolina, Georgia and Alabama. Here the Legislatures and statewide officeholders have been unanimous in shaping a network of last-resort statutes that would shut down any state supported school or college admitting a Negro student.

Similarly intransigent on the public school issue are Virginia, Florida and Louisiana. Florida has no school integration at any academic level, but Virginia and Louisi-

ana have consented to token integration in several colleges without any serious incidents.

Also, in these states there has been public school litigation, in some instances of several years' standing, and in a number of larger cities the public transit facilities have been desegregated in the last year or so.

In terms of the resistance pattern, however, it could be said that the official policy in the seven cities and states is uniformly defiant on the public school front, while the four hard-core states are defiant against any form of integration.

Regional Fight

Moreover, the hard-core state leaders shoulder the main burden of welding resistance throughout the region with imagery, word symbols and even a king of reconnaissance cavalry that sends spokesmen on forays into border states of moderate sentiment where they stir the passions of local recalcitrants.

[fol. 991] In this hard-core area there has been little aggression on the part of integration forces. Mainly, it has taken place in the few large urban centers where the social and political climate is less harsh and where there is a more active leadership among sophisticated Negroes. Considerable inpetus has come from the national offices of the N.A.A.C.P. critics charge. On the bigger cities the local Negro leadership generates a good deal of the planning and legal preparation in advance of court action.

Indeed, in this area the only elements militantly supporting integration are to be found in the Negro community. In recent months a segment of the clergy and some human relations organizations have expressed disagreement with the segregationist leadership. But mainly these groups have sought to present a view of moderation and to provide vital lines of communication for the two races.

There have been some opening gambits in this picture. Court suits have been filed in Birmingham and Atlanta to desegregate the buses, a "modified" seating plan for buses in Tallahassee has been installed and a Negro student, Miss Autherine Lucy, was enrolled in the University of Alabama in 1956—although the latter withdrew under threat of harm and there was a subsequent tightening of segregationist sentiment in the state.

Bus Boycott

Most significant was the Federal court-ordered bus integration in Montgomery. Here the Negro community launched its famous boycott under the direction of the Rev. Martin Luther King, Jr., which spawned a whole new leadership stratum for Negroes and had considerable effect throughout the region.

Even so, the hard-core area in any meaningful sense has stood resolute against integregation. Its leaders have been very effective in imposing sanctions against those who preach moderation in degree and in truth the differences in degree of intensity with which the issue is often received have been obscured in a smothering blanket of uniform repression.

The key to understanding the intransignet enclave is to [fol. 992] be found in political and socio-economic terms. These are the states with the largest number of blackbelt counties where Negroes outnumber whites, where plantation economies held sway, where the rural element sets the tone for the Legislature and the crucial factor of political leadership is determined by success at the polls in statewide elections.

It is against this background that the Atlanta litigation highlights the Deep South situation and has important bearing on the neighboring states that stand equally firm against public school integration.

For Atlanta is the big urban landmark situated in the very center of the hard-core region, and it is a city where race relations have been relatively harmonious because local government and industrial leaders are prone to negotiate differences, among the disparate elements.

New Tensions

The immediate, short-run impact is certain to be one of turbulence, new tensions, oratory and proposals for new and more strigent resistance legislation. There will surely be calls for state administrative action to stifle the moderate voices in the city, and attacks will be stepped up against neighboring states with token desegregation, which will be pictured as the "horrible example." This will uncover

new political shoals for the Governors in the moderate states.

Thus far the strongest evidence has been that Governors in the hard-core states will close the schools before accepting classroom integration. This sort of thing has never happened before and the big question seems likely to be what will occur when the new urban and the new culture is pitted against the rural Old South that "proclaims" shut 'em down."

At week's end Southern, leaders generally were trying to evaluate the impact of the Atlanta action on the over-all integration issue. Many were seeing it as an overt challenge by the Negro leadership to the hard-core leadership, a rejection of the Department of Justice's recent proposal that there be a "cooling-off" period in civil rights.

[fol. 993]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 175

U.S. NEGRO GAINS HELD SCANT IN '59

TUSKEGEE SAYS ONLY COURTS AND FEDERAL AGENCIES DID MUCH TO IMPROVE LOT

By Claude Sitton
Special to The New York Times

ATLANTA, Jan 23—Tuskegee Institute declares that, aside from action by the courts and Federal agencies, the nation did little to improve the lot of the Negro in 1959.

Among the basic reasons, according to the institute, was "a hesitancy by America's citizens to face the moral implications of continued segregation." Other factors cited were a lack of inter-racial communication and a tendency to ignore contributions of the minority race to community life.

The views of the institute, a cultural center for the Southern Negro located at Tuskegee, Ala. were offered in its forty-sixth annual report on race relations. The report was signed by Luther H. Foster, the institute's president.

Analysis Covering South

"Race relations in the South did not change appreciably during 1959," the report asserted. "Despite the urgency of America's aspiration to promote peace there was—on balance—little compelling evidence that America itself was able to advance human understanding significantly within its own boundaries."

The report's summary of developments was as follows:

"The year showed further legal support and economically based rationalization for public desegregation, limited extension of desegregation practices, successful action by many state and local governments to avoid desegregation and a hesitancy by America's citizens to face the moral implications of continued segregation.

"The principle of desegregation in public situations was reinforced; and a few instances of additional desegrega-
[fol. 994] tion were noted, both in schools and in other public situations.

"With an occasional exception, Federal and state court decisions, as well as the Administrative and investigative actions of Federal agencies, supported the principle of desegregation and sought its implementation. A major contribution was the work of the United States Commission on Civil Rights."

Work on Voluntary Plane

The concern of individuals for "The real—and sometimes imagined—consequences of desegregation," particularly in public schools, was reflected in the work of voluntary agencies, according to the institute.

"Rarely, however, did these organizations include both white and Negro memberships," it continued.

Most public officials in the South delayed desegregation and discouraged discussion of the issues, the report said.

The institute argued that "mass communications media, viewed as a whole, reported and commented extensively on desegregation and tended to highlight the arguments for segregation, either directly or by implication."

Constructive community contributions by Negroes were not publicized, it said.

"As a consequence," it went on, "the general public tended to form opinions of the citizenship role of the Negro based upon the often sensational and negative reports disseminated by the mass media.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 176

THE NEW YORK TIMES TUESDAY, JANUARY 20

PATTERSON BACKS SEPARATE SCHOOLS

[fol. 995]

ALABAMA GOVERNOR GIVES WARNING AT INAUGURAL—ELLINGTON SWORN IN

MONTGOMERY, Ala., Jan. 19 (AP)—John Patterson was sworn in as Governor of Alabama today. He said he would preserve segregation even if it meant closing the schools.

The 37-year-old son of a Phenix City crime fighter, Albert L. Patterson, who was murdered, warned Negroes in these words after taking the oath of office.

"If you wish to preserve your public education system and educate your children, you should stand up and speak out against the agitators of your own race whose aim is to destroy our school system.

"If you do not do so, and these agitators continue at their present pace, in a short time you will have no public school system at all. Our public schools once destroyed and closed down may not be reopened in your lifetime and mine."

A four-hour inaugural parade from which Negro college and high school bands were excluded on orders of the new Governor preceded the swearing in of Mr. Patterson and other constitutional officers.

Outgoing Gov. James E. Folsom rode with his successor at the head of the parade, but left the stands before Mr. Patterson took the oath. Mr. Patterson has gone into court on several occasions to get injunctions against what he called excessive spending of the Folsom Administration.

Three former public officials were indicted for the elder Patterson's murder in the cleaning up drive that followed his death. The crippled former State Senator had been dominated on the Democratic ticket for Attorney General in 1954 on a promise to rid Phenix City of vice.

He was shot down outside his Phenix City law office June 18, 1954, just seventeen days after winning the nomination.

Young Patterson was elected Attorney General in his father's place, without opposition. In his first state-wide campaign four years later he was elected Governor.

[fol. 996]

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

PLAINTIFF'S EXHIBIT No. 177

(Newspaper Article, The New York Times, Sunday, March 22, 1959, page 1 and page 40, entitled, "Dixiecrat Move Gains Adherents," by Claude Sitton, Special to The New York Times, datelined Atlanta, March 21, offered in evidence as Plaintiff's Exhibit No. 177, but disallowed and excluded by the Court.)

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 178

THE NEW YORK TIMES TUESDAY, JULY 7, 1959

BIRMINGHAM RESISTS CHURCH INTEGRATION

CITIZENS' GROUPS HARASS LIBERALS

FEW WHITE MINISTERS HAVE TAKEN STAND ON RACE—FOES ARE ORGANIZED

[fol. 997]

(THREE PHOTOGRAPHS ATTACHED TO ORIGINAL.)

(This is the third in a series of articles on how churches in the South are facing the question of racial segregation.)

By John Wicklein

Atlanta to Birmingham—140 miles by air—makes the difference between moderation and racism in Protestant church groups. If Atlanta is the most liberal city in the Deep South on the race question, Birmingham is the most conservative.

Here no one in the churches may speak for desegregation without being harassed by White Council members, Ku Klux Klansmen or other segregationists. As a consequence, almost no white minister has taken a liberal stand on race. The Negro ministers who have acted for integration have been arrested, beaten and bombed.

A steel center where 40 per cent of the population is Negro, Birmingham has a large groups of working-class whites who regard the Negro as an immediate economic threat. Many whites have joined hoodlum elements of the Ku Klux Klan, which operated openly in the city. Intimidation of Negroes and whites who support them is condoned by Eugene (Bull) Connor, the outspokenly racist police commissioner.

Voice of Churches

About the only laymen speaking publicly on the issue are [fol. 998] segregationists, and within the last four months they have become the voice of the white churches in Alabama.

Organized opposition to integration is expressed through the Methodist Laymen's Union, formed here March 19. This is a group of business men and civic leaders who banded together specifically to prevent the segregated Central (Negro) Jurisdiction of the Methodist Church nationally from being merged with the white conferences of the church that is overlaps.

About 1,800 laymen from all over the state—including stewards, Sunday School teachers and rank and file—came to the organization meeting at Highlands Methodist Church here. A few ministers attended the meeting, but they were asked not to participate.

Circuit Judge Whit Windham, who teaches a men's Bible class at the church, was elected president. Circuit Judge

L. S. Moore of Centreville, who has spoken at White Citizens Council meetings, was chosen first vice president.

In his law-book-lined office in Birmingham's modern, air-conditioned courthouse, Judge Windham took time out between court sessions to discuss the laymen's union.

Sees Determined Effort

His group knows, he said, that a determined effort will be made at the national Methodist convention in 1960 to change the jurisdictional set-up of the denomination. The plan, he said, would be to leave the jurisdictional lines intact, but to have the bishops elected nationally, instead of regionally, and thus send liberal church executives to the South.

"The bishop could exert tremendous pressure on his ministers to integrate," said the judge. "It would take a strong preacher to say he wouldn't do it."

(Bishop Bachman G. Hodge of the Birmingham area has expressed no opposition to segregated jurisdictions. He has transferred to the North two leading pastors who came under fire from their congregations for suggesting some desegregation might be possible.

(When the bishop was asked by phone whether he thought the Negro jurisdiction should be kept as it is, he replied, [fol. 999] "I don't care to discuss it. I don't feel The New York Times should be fooling with it; you fellows take care of your situation up there, and we'll take care of our situation down here." He then hung up.

Judge Windham said that any move by the cenomination to force Negroes into white conferences or churches in the South would split it again into a Northern church and a Southern church, as it was before 1939.

'Christian Concern'

The judge said his laymen's group was not acting out of hatred for the Negro, but out of "Christian concern," for white children. He said that although Negroes made up only 10 per cent of the population of New York City, they committed 35 per cent of the crimes.

"If this is so," said the judge, "we can't see how it would

be a good thing for our children to associate with him and his conditions.

"I was raised with nigras—I worked in the fields with nigras. My observation is that when you come to sexual matters and the use of knives, you come to a difference between the races.

"We owe to the Negro a special diligence to try to help him, give him racially his opportunity to improve himself. It's just generally supposed that once again we're treating him wrong on this matter, and that's just not so.

"If people believe it's all right for this to become a nation of mulattoes, that's their right. But I have the right to base my actions on my beliefs and keep anyone, whether the Methodist church nationally or anyone else, from forcing that policy on me."

Nationally, the policy of the Methodist Church is this:

"The teaching of our Lord is that all men are brothers. The Master permits no discrimination because of race, color or national origin.

"To discriminate against a person solely upon the basis of his race is both unfair and un-Christian. Every child of God is entitled to that place in society which he has won by his industry and his character. To deny that position of honor because of the accident of his birth is neither honest [fol. 1000] democracy nor good religion.

"There must be no place in the Methodist Church for racial discrimination or enforced segregation."

The laymen's league is asking white Methodist churches in the area to pass resolutions against changing the jurisdictional system, and intends to send delegates to the general convention who will work to keep the conferences segregated.

Judge Windham said his group has no intention to work outside the church, in fields such as school segregation.

"We have enough to do right in our own church," he said.

Printed Arguments

Judge Windham's group has issued a printed pronouncement embodying arguments against church integration. It states, among other things, that in any such integration

the white members and Negro members would feel uncomfortable and out of place. It said:

"The typical Negro in Alabama is by nature volatile, raucous, and inclined to emphasize his exuberance in personal conflict of some sort. The great majority of them do not regard the social graces as white people usually observe them, and with respect to numerous colored individuals, they become personally unwelcome to those white people in close proximity, for more reasons than one."

A Negro Methodist minister who has served a church in Alabama for twenty-five years said he was deeply hurt when he heard that the white Methodist laymen had organized.

"If I were a few years younger," he said, "I'd probably transfer to another denomination. They imply that our very presence is objectionable."

There is talk that laymen in the Southern Methodist Convention, largest denomination in the region, might organize to oppose the moderate racial policies adopted by "messengers" to its annual meetings.

Economic Motive Possible

From the silence of Southern Baptist clergy at the local level, it could be assumed that they were satisfied with [fol. 1001] segregation. However, in the Deep South, an economic motive may condition the silence— Southern Baptist congregations have the right to dismiss their pastors at any time, for any reason.

At the organization meeting of the Methodist Laymen's Union, the Rev. Thomas Reeves, student supply preacher for a small rural church outside Birmingham, stood up to protest the statements on race in the union's pronouncement. He was shouted down; a man next to him said "you better get out of here, you Commie."

Mr. Reeves left early and started to drive away. A car parked outside the church came after him and followed him back to his rooms at Birmingham Southern College.

A half hour later, fifteen cars in the motorcade appeared and drove around the quadrangle underneath his window.

When he went to his own church the following Sunday, members of its Official Board, told him they had "dis-

missed" him. Under Methodist church law, only the bishop can remove a pastor from his church. When after a month, no word came from Bishop Hodge, Mr. Reeves wrote to ask whether he was still pastor of the church. Bishop Hodge replied by letter that he was.

Threatened by Phone

In the months since his church "dismissed" him, the young pastor has received threatening phone calls from men who identified themselves as members of the Klan. One told him he would be beaten if he ever appeared at the church again. Mr. Reeves is still pastor of the rural church, but he has not been back.

Surprisingly, top officials of the Methodist Central Jurisdiction are not too eager to integrate its conferences. But the reasoning of these Negroes is not segregationist but protectionist.

In New Orleans, where the Central Jurisdiction has its headquarters, the Rev. George W. Carter, its secretary, said in an interview that if it were left to a majority of Negroes in the jurisdiction, the move to abolish this separate organization would not pass.

Methodist Negro bishops believe segregation is morally wrong, and that eventually it must be abolished, he said. [fol. 1002] But if integration of the conferences were done now, they feel, there would be far less opportunity for leadership for Negroes, and they would be swallowed up in the whole."

He said he thought Northern church leaders would be willing to compromise to provide leadership posts for Negroes in the church nationally, but that Southern white church leaders would not accept this at this time.

Among poorly educated and culturally undeveloped Negroes, the minister said, there is a shyness about going among the white people. But educated Negroes and the youth of both races, he said, believe there must be some intermingling. This way, he said, people on both sides would get to know each other and understand each other so they could solve their problems quietly and jointly.

(In Birmingham, a Negro woman operating an elevator was asked if she thought white people and Negroes should go to church together. "No," she said. "I think it ought to be just the way it is." In Birmingham, to ask the question was to beg the answer.)

Mr. Carter said that although most Negroes wanted integrated churches, there would never be any "pushing in" on their part to "get into the homes of white people and socialize with them or intermarry."

What the Negroes of the churches do want, he said, is justice in the economy and along all other lines, such as schools.

A Force for Progress

"Negro ministers," he said, "could be a force of progress in rightousness. They would be radical only in that they were working toward rightousness and peace. We have some who think we can only get this by fighting. But we don't see it that way, as leaders."

The feeling that they would lose status if their conferences were interracial is also held by some Negro officials of the Congregational Christian churches in the South. Although there is more communication between white and Negro conference leaders than in the Methodist Church, steps to merge overlapping Congregational areas have not gone beyond the stage of quiet discussion. White leadership in the denomination, however, leans toward bringing this about.

[fol. 1003] A lonely outpost for desegregation in Birmingham is the Alabama Council of Human Relations, an affiliate of the non-denominational Southern Regional Council. Its executive director is a young Methodist minister, the Rev. Robert E. Hughes. It is the only predominatly white group in the city that has spoken publicly for racial amity.

Less Representation

In May Mr. Hughes put out a newsletter in which he pointed out that even if the Central Jurisdiction of the Methodist Church were abolished, Negro delegates to national conferences would make up no more than 10 per cent of the membership, and Negro officials would have

far less representation in the national convention than they now have. The Episcopal Diocese of Alabama and the (Southern) Presbyterian Synod there have had similar Negro representation in their conferences, he said.

For his statement, he was assailed by Judge Windham in a letter to laymen's union members. Since that time, Mr. Hughes said, he has had phone calls in the middle of the night threatening his life and the lives of his wife and two children.

"There's an all-pervading, stultifying frustration of ministers who feel they should speak out for racial equality but cannot." Mr. Hughes said. He strongly urged national denominations to insist that ecclesiastical officials in the South protect and support the freedom of the pulpit."

"We cannot assume that the Southern Negro's view of orthodox Christianity will indefinitely remain the same as long as the dominant church of this area remains so far divorced from principle."

The Birmingham Ministerial Association, which has a policy of whites only, has never protested violence against Negroes. Mr. Hughes said, "This despite the fact that there have been at least twenty-two bombings of Negro churches and homes in the last ten years."

The only time it issued a statement deploring violence, he said, was when someone attempted to bomb a Jewish temple. Less than a month later on Christmas night, 1957, the home of the Rev. Fred L. Shuttlesworth, a Negro integration leader, was actually bombed. Despite a direct [fol. 1004] request, Mr. Hughes said, officials of the ministers association refused to convene the group to issue another statement.

Harassed but Fearless

Mr. Shuttlesworth is probably the most harassed and the most fearless Negro leader in Birmingham. Although he is describe as erratic and a lone operator, the Negro leadership for integration has fallen to him because no one else will take it up.

Besides the bombings, in which he barely escaped with his life, Mr. Shuttlesworth has been beaten for trying to enroll four Negro children in the all-white Phillips High

School. In June, 1958, a dynamite bomb was snatched from the side of his Bethel Baptist Church by a volunteer Negro guard. It exploded a minute later, shattering windows and cracking plaster in the church. No one was hurt.

Last fall, as president of the Alabama Christian Movement for Human Rights, the Negro minister tried to organize a bus boycott similar to the one that helped to defeat segregation on buses in Montgomery, Ala.

Three ministers from Montgomery were arrested for vagrancy by Birmingham police after visiting Mr. Shuttlesworth's home. Commissioner Connor warned that "outside agitators coming to our city and dabbling in our affairs" faced arrest.

Arrest on Bus

Shortly afterward, Mr. Shuttlesworth was arrested for refusing to move to the rear of a bus. He was fined $100 and sentenced to ninety days in jail. He has appealed the sentence.

The boycott, which had received little publicity, collapsed.

The situation of Negro religious leadership in Birmingham contrasts with that in Montgomery, the state capital. There the harassment of those working for desegregation has been no less great, but Negro leaders have more to show for their work.

The Montgomery Improvement Association, led by the Rev. Dr. Martin Luther King, Jr. organized a year-long peaceful boycott of the city's transit in protest against segregation. The ministers drive, organized through church congregations, has been emulated successfully by Negro [fol. 1005] ministerial groups in other cities of the South.

For his efforts, Dr. King was arrested by Montgomery police on a charge of "loitering." In January, 1956, the porch of his home was blown up; a year later, after the buses were desegregated, a second attempt to bomb his house misfired. About this time, four Negro churches and the home of a white minister who had been active in the boycott were bombed.

Asks Christian Strength

Through all his suffering, Dr. King said in an interview recently, the Negro must have Christian strength to meet hate with love.

"I must say to my tormenter that I hate his evil deed yet love him in the process," said the pastor of the Dexter Avenue Baptist Church. "I must say: I will match your capacity to inflict suffering with my capacity to suffer. I will not abide by your unjust laws, but I will not hate you for making them."

It is this philosophy that he is preaching to Negro church members over the region, trying to enlist them in a drive of passive resistance to segregation.

His vehicle is the Southern Christian Leadership Conference. Its first goal is to get as many Negroes as possible registered to vote.

"Nonviolence is the most potent weapon available to people in the struggle for human dignity," Dr. King said. "The old eye-for-an-eye philosophy ends up leaving everybody blind."

Intellectual Appeal

Words such as these give the short, slight, 30-year-old Ph.D from Boston University a strong intellectual appeal. Yet the soft-spoken, Atlanta-born Baptist minister can build a calm, dispassionate speech to a stirring emotional climax with a barely perceptible raising of his voice and quickening of his words.

The church, he said, should give the philosophy of nonviolence strong support because it is part of the Christian ethic. Christians, he insisted, must be concerned with "social conditions that corrupt the soul."

Through the churches, the leadership conference hopes [fol. 1006] to implement the courts' desegregation decisions at the local level.

"There has to be a South-wide undertaking, to get people to use the new laws," Dr. King said. "It won't mean anything if Negroes are afraid to follow through.

"In Montgomery, for instance, the church served as the center of a whole movement for social change. All of the Negro churches supported the bus desegregation move, through contributions and weekly prayer meetings.

This is the kind of support we'll need to teach people the philosophy of nonviolence. And the Negro ministers would be the best people to do it, because of their unique training in this area."

Dr. King said he hoped white churches and white ministers would join the movement.

Justice and Injustice

He said:

"This would reveal that the conflict isn't between two races, but between justice and injustice. We want to lift it to the level of conflict between forces of evil and forces of good. Then the solution, which it comes, will have a more permanent base rather than if it were a racial solution.

Through this, we can bring about reconciliation and the creation of the beloved community."

Whether they believe with Dr. King that reconciliation between whites and Negroes is a Christian imperative, white churchmen in Alabama have done little or nothing to bring it about.

As elsewhere in the South, the interdenominational United Church Women have worked harder than most for unity between the races. But in Alabama, even for women, harassment and intimidation from the community are great.

Mrs. M. E. Tilley of Atlanta, the Southern Regional Council's representaive in the United Church Women, told of one meeting she attended in Montgomery that had a bitter aftermath:

One hundred churchwomen in the city held an interracial prayer meeting in St. Jude's Roman Catholic Hospital [fol. 1007] last September, at which box lunches were eaten. A woman sitting next to Mrs. Tilly took notes on who was there and what was said.

When the group left the meeting flash bulbs popped in their faces and two men were seen taking down license numbers of the women's cars.

Shortly afterward, a small Montgomery weekly paper published their names and addresses and the business connections of their husbands. For several days the white

women were barraged with anonymous phone calls, in which they were threatened and insulted.

A number of the husbands, fearful of economic reprisal, publicly dissociated themselves from their wives' action. Other prominent business men advertised in the daily paper to say that they and their wives had nothing to do with the prayer meeting.

Finally the all-white Montgomery Ministerial Association called on the city's law enforcement agencies to "protect local citizens in their pursuit of freedom of discussion in free assembly."

Mrs. Tilly, who was a member of President Truman's Civil Rights Commission has worked for integration nationally and locally.

Morally Wrong, She says

"Women have much more opportunity to study the race situation than business men do," she said. "Women feel segregation is morally wrong and that it harms their missionary work all around the world.

Because she has not been reticent about her views, she has received threatening letters and phone calls for years and years.

"If they give me their names, I talk to them," she said. But some of them are just vile."

For hate-bearers who call late at night, she has attached a record to her telephone that recites the Lord's Prayer.

"Won't it wear out?" she was asked.

"Oh, no," she replied, "I have it on both sides."

[fol. 1008]

PLAINTIFF'S EXHIBIT No. 179

(Newspaper article, The New York Times, Sunday, November 29, 1959, pages 1 and 44 entitled, "Racial Curbs Eased by Southern Hotels," by Claude Sitton, Special to The New York Times, datelined Atlanta, offered in evidence as Plaintiff's Exhibit No. 179 but disallowed and excluded by the Court.)

PLAINTIFF'S EXHIBIT No. 180

(Newspaper Article, The New York Times, Sunday, March 6, 1960, at page E-3 entitled, "The Mood of the South—And the Status Now on Civil Rights," by Claude Sitton, Special to The New York Times, Atlanta, March 5, offered in evidence as Plaintiff's Exhibit No. 180 disallowed and excluded by the Court.).

PLAINTIFF'S EXHIBIT No. 181

(Plaintiff's Exhibit No. 181 for identification withdrawn by counsel for the Plaintiff.)

PLAINTIFF'S EXHIBIT No. 182

(Newspaper article, The New York Times, Sunday, September 8, 1957, pages E-5 entitled, "Integration: Actions by States," by John N. Popham, Special to The New York Times, Little Rock, Arkansas, September 7, offered as Plaintiff's Exhibit No. 182 for identification and excluded by the Court.)

[fol. 1009]

PLAINTIFF'S EXHIBIT No. 183

(Newspaper article, The New York Times, dated December 1, 1957, entitled "The Southern Negro: Change and Paradox," by John N. Popham, Chattanooga, offered in evidence as Plaintiff's Exhibit No. 183 and disallowed and excluded by the Court.)

PLAINTIFF'S EXHIBIT No. 184

(Newspaper article, The New York Times, dated December 29, 1957 entitled, "Report on Montgomery a Year After," by Abel Plenn, Montgomery, Alabama, withdrawn by counsel for the Plaintiff.)

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 185

THE NEW YORK TIMES

WEDNESDAY, FEBRUARY 22, 195

ALABAMA U. ALUMNUS URGES BAN ON CO-ED

Special to The New York Times

TUSCALOOSA, Ala., Feb. 21—A former state Senator and past president of the University of Alabama Alumni Association appealed today to friends of the university to take a firm stand to keep the institution white.

J. M. Bonner made the appeal in an open letter to The Tuscaloosa News.

"I proudly take my stand with those students who resisted, and who will continue to resist the admission of a Negress named Autherine Lucy," he wrote, "Their enthusiasm may have carried them a wee bit far; but their actions were prompted by loyalty to and love for our university and the conviction that ours is a white man's college."

[fol. 1010] He asked that the students join in a petition to the board of trustees asking that Miss Lucy never be admitted, that no student be punished for resisting her admission, and that "every member of the faculty, from top to bottom be given to understand that the University of Alabama will continue to be operated for white students only."

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 186

THE NEW YORK TIMES

WEDNESDAY, FEBRUARY 1, 195

NEGRO STUDENT ADMITTED

Special to The New York Times

BIRMINGHAM, Ala., Jan 31—The University of Alabama has agreed to accept the first Negro student when registra-

tion for the next terms open tomorrow. However, the university has denied admission to a second Negro seeking to enroll at the university on the grounds listed by the university's board of trustees as being based upon the applicant's "conduct and marital status."

The accepted student, Autherine Lucy, said she would register tomorrow at the university in Tuscaloosa for courses in library science in the University's School of Education.

Mrs. Polly Meyers Hudson, who was denied permission to register, said the action taken by the trustees was both a "smear and subterfuge" and that she would seek recourse in the courts.

Both women had won a recent fight in Federal courts to gain admission to the university.

$1,000 Reward Offered

MONTGOMERY, Ala., Jan 31 (UP)—Two pro-segregation groups today offered rewards totaling $1,000 for information leading to the conviction of those responsible for the bombing last night of the home of a Negro who had led his race's boycott of city buses.

[fol. 1011] The three city commissioners, all members of the pro-segregation white citizens council, posted a $500 reward. Their reward was later matched by the Central Alabama Citizens Council.

The bomb damaged the front porch and blew out windows from the residence of the Rev. M. L. King, Jr., 27-year-old Baptist minister. Mr. King's wife, his daughter and a visitor were in the house at the time, but all escaped injury.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 187

THE NEW YORK TIMES

SUNDAY, JANUARY 8, 1956

NEGROES' BOYCOTT CRIPPLES BUS LINE

CARRIER IN MONTGOMERY, ALA., INCREASES FARES TO OFFSET LOSS OF BUSINESS

Special to The New York Times

MONTGOMERY, Ala., Jan. 7—The boycott of Montgomery bus lines by Negro riders entered its second month this week with no conciliation in sight.

As a result of the bus company's loss of revenue in the boycott, the City Commission Wednesday raised fares 5 per cent; adult fares from 10 to 15 cents, school fares from 5 to 8 cents. The commission also authorized a 5 cent charge for transfers, which have heretofore been free.

Asking for the increase, the bus company cited losses averaging 22 cents a mile since the boycott began Dec. 5. The losses would run even higher, company spokesman said, except for a curtailment in service that has reduced mileage by 31 per cent.

Shortly after the boycott began, virtually all service to Negro communities was abolished. Two routes, serving predominantly Negro areas, were abandoned entirely and other routes revised so as to exclude Negro neighborhoods along them.

[fol. 1012] Negro Woman Convicted

The boycott began with the arrest of Mrs. Rosa Parks, a Negro seamstress employed by a downtown department store. Mrs. Parks had refused to give up her seat when told to do so by the bus driver.

At the time the incident occurred, there were twenty-six Negroes and ten white persons seated in the thirty-six passenger bus. Law requires the bus driver to segregate the passengers but leaves it within his discretion where

the line is to be drawn. Thus, on many routes serving populous Negro areas it is not uncommon to see Negroes occupying all but a few seats.

When the driver asked Mrs. Parks and three other Negroes to give up their seats, a number of white persons were about to board. There were already some white persons standing as well as a number of Negroes. The driver explained later in court that he was "equalizing" seating facilities.

Mrs. Parks refused to yield her seat and was arrested for violation of a city segregation ordinance. Later the charge was changed to read a violation of a state law, which gives bus drivers the power to assign and reassign seating. The law makes it a misdemeanor for anyone to disobey the driver's orders.

Mrs. Parks was found guilty in City Recorder's Court and fined $10. Her attorneys filed notice of appeal. At a mass meeting in a local Negro church the night following the court hearing, Negro citizens were urged not to ride the buses. The following morning Negro patronage was down by an estimated 90 per cent. Today it is close to 100 per cent off.

Conditions Laid Down

Negro citizens, led by virtually all the city's Negro ministers, have demanded that three conditions be met before they resume riding the buses. These are:

Adoption of a "first-come-first-served" rule as is in effect in other Alabama cities such as Mobile and Huntsville. Under this plan Negroes would continue to load from the rear and whites from the front, but the seating once established, would remain fixed.

[fol. 1013] Greater courtesy on the part of drivers. Negro bus riders have complained of rude, insulting treatment.

Employment of Negro drivers on routes serving predominently Negro areas.

A bi-racial committee, appointed by the City Commission, has so far failed to resolve any of the differences. The company contends that it cannot adopt a "first-come-first-served" policy and comply with the segregation laws. Negotiations have been broken off, for the time at least.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 188

THE NEW YORK TIMES

SUNDAY, FEBRUARY 26, 1956

LUCY CASE SPLITS ALABAMA UNIONS

LABOR SET BACK 20 YEARS, CHIEFS HOLD—WHITE GROUPS SAID TO USURP POWERS

Special to The New York Times

TUSCALOOSA, Ala., Feb. 25—The uproar over the admission of Autherine J. Lucy to the University of Alabama has set organized labor back twenty years in this area, the major union chiefs have agreed. They represent 12,300 employes throughout the county.

They expressed concern over the tension the case has brought between whites and Negroes here—25 per cent of their members are colored. And they said that resentment at northern interference in the case was undermining their authority.

The White Citizens' Councils that have sprung up to fight for racial segregation are already so strong, they said, that they could control unions at will and could speak with greater public authority than the unions.

At the same time, they added, resentment against the statements by leaders of the A.F.L.—C.I.O. is so great that union men are talking of pulling out of the national [fol. 1014] organization and forming a separate Southern labor federation.

Before the Lucy case, they said, race relations here were peaceful, the authority of the Citizens' Councils was negligible and relations with the national organizations were good.

Round Table Discussion

The union leaders consented to express their personal views in an informal round-table discussion, providing they were not identified. They emphasized that they could not speak for their organization.

Their locals represent workers in the paper rubber foundry, communications, building and chemical industries as well as office, government and retail store employes.

The view they expressed were along the same lines as those heard in recent days from union leaders in various parts of the state, and probably are fairly indicative of union sentiment in the state.

"We always had good relations between the races here," one of the men said. "We have worked together in the shop and in the union and have worked out a system of segregation that is fair to all concerned.

"The Negroes have an equal voice with whites in the union and equal treatment in the plants. We worked out a division of jobs between the races, and we made sure that wage opportunities were equal."

The Autherine Lucy case, by arousing racial passions, threatens both this system and the union leaders who have worked to create it, they said.

Lucy case Blamed

"We never would have had a Citizens' Council here if it had not been for the Lucy case," one of them said. "But now these councils can control any union they wish. And this does not work for good relations in the unions that have both white and Negro members."

The Citizens' Councils, although professedly nonpolitical, have announced plans to question every candidate for office in the May 1 Democratic primary on his views on segregation. On the basis of the replies, the councils will [fol. 1015] endorse candidates in the primary, which is tantamount to election in this state.

"When we used to endorse a political candidate, we could be sure that nine times out of ten he would be elected," one of the union leaders said. "Today, if we were to endorse a candidate and the Citizens' Councils were to endorse another, our candidate wouldn't have a chance."

The activities of the councils already have hurt the unions here financially. The organizing meeting of the West Alabama Citizens' Council was held in the County

Courthouse here the same night (Feb. 18) as the annual dinner of the Committee on Political Education.

"That hurt us, and hurt us bad," one of the men said. "We had planned that meeting for months, and they announced theirs at the last minute. We did everything we could by telephone to get it called off, but we couldn't."

Financial Loss Cited

Many of the men who were present at the Citizens' Council meeting were union workers who might normally have been expected to be at the political committee's fund-raising dinner.

Another of the union leaders pointed out that the statements by Walter Reuther and George Meany on the Lucy case had hurt financially. "We used to go into a shop and count on getting $1 contribution from every man for "political activity," he said. "But now we're lucky if we can get $1 from anyone.

"The men say why should they contribute money that is going to be used against them to fight segregation," another of the leaders said. "These men believe in segregation and they believe that the Northern leaders who have never been in the South have no right to interfere."

"Everywhere you go," it was said, "you hear union men talking about pulling out of the A.F.L.—C.I.O. and forming a labor federation just for the South. If the interference we have had continues that is exactly what is going to happen."

The unions in Tuscaloosa have been in a difficult position [fol. 1016] since the University of Alabama charged that some of their members were among the outsiders in the mob that drove Miss Lucy from the campus.

They indignantly denied that this was so. They charged that if any of their members were in the mob they were part-time workers who were also students at the university. There are nearly 200 such workers at the various factories here.

Several of the union leaders who were interviewed are themselves graduates of or students at the university.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 189

THE NEW YORK TIMES

SUNDAY, JANUARY 29, 1956

DEMOCRATS CURB ALABAMA BOLTERS

PARTY SHIFTS LOYALTY OATH—BARE EISENHOWER BACKERS FROM SEEKING OFFICE

Special to The New York Times

MONTGOMERY, Ala., Jan. 28—The Alabama Democratic Executive Committee today rewrote the party loyalty oath to bar Eisenhower Democrats from seeking office in the May party primaries in Alabama.

The new pledge of allegiance was approved by a vote of 42 to 10 at the annual committee meeting here today.

As adopted, this oath applies to Eisenhower Democrats who were "disloyal" both in the 1952 and 1954 general elections. In the past all such oaths had applied only to the previous general election.

The pledge also bars Democrats from seeking office who "willfully, intentionally or purposely" refrained from voting in the Presidential election in 1952 as well as those who voted for other offices but left their ballot blank on Presidential electors.

Voters Not Affected

Roy Mayhall of Jasper, committee chairman, emphasized that the pledge applied only to prospective candi- [fol. 1017] dates, and did not seek to disqualify anyone as a voter in the primaries.

On the contrary, Mr. Mayhall invited all voters in Alabama to participate in the party elections if they were willing to support the regular Democratic nominees in the Presidential election.

Although they can not be compelled to stand by the party in November, Mr. Mayhall said any such voters would be "morally obligated" to do so if they voted in the primaries.

The committee today also agreed to send fifty-two delegates to the National Democratic Convention, each to have one-half vote.

But no action was taken on a previously mentioned plan to have delegates run for numbered places. Instead they will all run in a group as they have always done in the past.

The committee's new loyalty pledge was given a solid endorsement by Gov. James E. Folsom, who attended the meeting as a spectator.

Earlier in the committee meeting the racial issue arose momentarily. Frank Mizell, Jr. of Montgomery, a committee member, introduced a resolution commending the Alabama Public Service Commission and the Montgomery City Commission for the stands they had taken in enforcing Alabama's segregation laws.

The P.S.C. recently issued an order to all bus and railroad companies in the state not affected by the Interstate Commerce Commission's ruling barring segregation in buses and terminals. The P.S.C. instructed these companies to continue to abide by Alabama's segregation laws.

The Montgomery City Commission has enforced a segregation city ordinance during an eight-week-old boycott by Negroes against a local bus line.

Mr. Mizell's resolution was promptly tabled on a voice vote, despite a demand by him that a roll-call vote be taken.

[fol. 1018]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 190

THE NEW YORK TIMES JANUARY 8, 1956

PHENIX CITY HONORED

ALL-AMERICA AWARD IS GIVEN TO FORMER VICE CENTER

PHENIX CITY, Ala., Jan. 7—The All-America City Award was presented to this Alabama border town today for its successful fight to drive out entrenched crime, vice and political corruption.

The award was made personally by Dr. George Gallup, public opinion expert and president of the National Municipal League, which sponsors the annual award jointly with Look Magazine.

Mayor Clyde M. Knowles, Jr., a young physician, accepted the award at a ceremony in front of the city hall.

Phenix City, once a notorious vice center, underwent sweeping reforms following the murder in 1954 of Albert L. Patterson, Democratic nominee for State Attorney General and father of the present Attorney General, John Patterson. Mr. Patterson was present at the ceremony today.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 191

THE NEW YORK TIMES
TUESDAY, JANUARY 24, 1956

LEGISLATIVE REVOLT IN ALABAMA SETTLED

Special to The New York Times

MONTGOMERY, Ala., Jan. 23—Peace and harmony prevailed in the State Legislative today after Rankin Fite, House Speaker, had submitted his "humblest and sincere apology" for ignoring a majority view and gaveling the chamber to adjournment last Friday.

Mr. Fite, a supporter of Gov. James E. Folsom, said he had been "dead wrong" and promised record votes on all issues in the future. The House unanimously accepted his apology.

[fol. 1019] The reconciliation spared Governor Folsom a test of strength with seventy-one House members who had organized themselves into a rump session. They stayed behind Friday when Mr. Fite ignored their outcry of "No!" and ruled an adjournment. The Speaker, acted after the House had voted to join the Senate in rejecting the Governor's proposal to call a constitutional convention.

The Senate refused to concur in the adjournment. This and the majority dissent in the House led Attorney General

John Patterson to rule over the week-end that the Legislature had remained legally in session.

Mr. Fite and his supporters returned today and the Speaker told House members he admired and respected them for having risen "in righteous indignation."

Many members are eager to consider a Senate-approved "freedom of choice" amendment, designed to resist compulsory integration by setting up three school systems—all-white, all-Negro and mixed.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 192

THE NEW YORK TIMES JANUARY 24, 1956

BID TO END BOYCOTT UNHEEDED

Special to The New York Times

MONTGOMERY, Ala., Jan. 23—A compromise offer by the Montgomery City Commission seeking to end the fifty day-old boycott of buses by Negro riders, has apparently been rejected. The bus company reported today that there had been no appreciable increase in the number of riders. The City Commission had offered to institute a plan reserving ten seats in the front of buses for white and ten in the rear for Negroes.

[fol. 1020]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 193

THE NEW YORK TIMES

THURSDAY, MARCH 1, 1956

FEDERAL BUS TRIALS SOUGHT

Special to The New York Times

BIRMINGHAM, Ala., Feb. 29—The National Association for the Advancement of Colored People will try to win Federal court jurisdiction for the cases of nearly 100

Negroes charged with conducting an illegal boycott against the Montgomery, Ala. buses. Thurgood Marshall, national counsel for the N.A.A.C.P. said here today that his organization would direct the defense efforts.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 194

THE NEW YORK TIMES
WEDNESDAY, MARCH 21, 1956

BATTLE AGAINST TRADITION

Martin Luther King, Jr.
Special to The New York Times

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

[fol. 1021] MONTGOMERY, Ala., March 20—The battle against segregation in Montgomery is being led by young, southern-born but often norther-educated Negroes.

Man in the News

For some of them it has meant a break with the views of their parents; for all of them it has meant taking a strong stand against the traditions of their community. But in their current efforts, they have solidly behind them the counsel and support of their elders.

Outstanding among these young leaders, whose ages range from 25 to 32, is the Rev. Dr. Martin Luther King, Jr. He is president of the Montgomery Improvement Association, which was organized to lead the current protest against bus segregation.

Dr. King is the first to be tried of ninety-three persons arrested in connection with the boycott of Montgomery buses by Negroes.

Dr. King is rather soft-spoken with a learning and maturity far beyond his twenty-seven years. His clothes are in conservative good taste and he has a small trim mustache.

He heads an upper middle-class group of Negro Baptists with dignity and restraint.

They worship in the historic Dexter Avenue Baptist Church. This is a red-brick building on the edge of the State Capitol Mall, near the long white marble steps atop which Jefferson Davis took his oath as President of the Confederacy.

Dr. King came here as pastor of the church in September, 1954, after finishing work on his Doctor of Philosophy degree at Boston University. He is particularly well read in Kant and Hegel, and the concepts of struggle as a law of growth.

Dr. King is a Baptist preacher in a great southern tradition of resounding, repetitive rhetoric. And he can build to his climax with a crescendo of impassioned pulpit pounding that overwhelms the listener with the depth of his convictions.

Among his convictions are these: That all men are basically good; that ultimately good will triumph over the evil in their nature; that segregation in all its aspects is evil, and that ultimately it must be swept away.

[fol. 1022] He continues to teach this doctrine in public in the heart of a state officially committed to defend segregation at all cost.

"Frankly, I am for immediate integration," he said. Segregation is evil and as a minister I cannot condone evil."

He sees the current bus boycott as just one aspect of a world-wide revolt of oppressed peoples.

Dr. King's maternal grandfather was the pastor of the Ebenezer Baptist Church at Atlanta, from 1895 to 1932. His father has been the pastor of the church from 1932 to the present.

Dr. King was his father's assistant at that church from 1948, after receiving his Doctor of Divinity degree, until 1953, when he went to Boston to work on his doctorate.

He did his undergraduate work at Morehouse College, and had his religious training at the Crozier Theological Seminary in Chester, Pa., where he was the top man in his class. He and his wife, a graduate of Antioch College in Ohio, have an 11-week-old daughter.

Another of the young Negro leaders here is the Rev. Ralph D. Abernathy, who is 29. He is pastor of the Negro First Baptist Church, and head of the negotiating committee that tried unsuccessfully last week to settle the boycott.

The only two Negro lawyers in Montgomery also have been leaders in the movement. They are Charles D. Langford, 32, and Fred D. Gray, 25. They have filed a suit to overthrow the city and state segregation laws and are defending the Negroes arrested in connection with the bus boycott.

NEGRO BUS TRIAL UPHELD BY COURT

JUDGE FINDS A PRIMA FACIE CASE ESTABLISHED IN THE MONTGOMERY BOYCOTT

By Wayne Phillips

Special to The New York Times

MONTGOMERY, Ala., March 20—Circuit Judge Eugene W. Carter ruled today that the state had established a prima facie case of conspiracy in the trial of the Rev. [fol. 1023] Dr. Martin Luther King, Jr., Negro minister.

Dr. King is one of the ninety Negroes charged with carrying on an illegal boycott of the Montgomery City Bus Lines. Indictments against three others had been dropped.

Most of Montgomery's 50,000 Negroes have refused to ride the city buses since Dec. 5, in protest over the arrest of a seamstress for refusing to give up her seat to a white person.

All the arrested Negroes are charged with violating a 1921 statute that forbids boycotting a legal business "without just cause or legal excuse." The penalty for violation is a $1,000 fine or six months in jail.

A succession of prosecution witnesses today connected Dr. King with the Montgomery Improvement Association. He heads this group which was organized to direct the bus protest.

Others sketched the highly organized car pool operations set up by the association to transport Negroes who are not patronizing the buses. More than 300 private automobiles are being used in the pool.

Toward the conclusion of today's session the prosecution introduced a number of bus drivers and others to testify about acts of violence against them by Negroes, and presumably resulting from the bus-boycotting movement.

Judge Carter made his ruling when the defense challenged the testimony of a city detective who had been assigned to the circuit solicitor to investigate the protest.

Financial Set-Up Described

He ruled also that the testimony as to incidents of violence should be in the record, though not directly connected to the Montgomery Improvement Association, as evidence of the possible consequences of a conspiracy.

The association's leaders, and Dr. King in particular, have been consistently describing the protest as a peaceful movement of passive resistance.

Mrs. Erna Dungee, financial secretary of the association identified in her testimony deposits of about $30,000 to [fol. 1024] the bank account of the association and checks issued in payment of gasoline, repairs, and the use of automobiles.

She explained also that a cash withdrawal of $5,000 by Dr. King was for transfer of an association account in a bank in Atlanta. Dr. King declined to tell reporters the reason for the transfer. He formerly lived in Atlanta.

Many of the 150 Negro spectators in the court wore cloth crosses on their left lapels reading, "Father, forgive them."

Rufus Lewis, chairman of the transportation committee that operates the car pool, explained how the committee had arranged a system of free transportation for Negroes financed by contributions made at church services and mass protest meetings.

George Henderson, a driver for the Montgomery City Lines, was the first called to testify on violence. He told of being fired at six times on the night of Dec. 6 while driving through a Negro section.

Six other bus drivers told of shootings and of rocks being thrown at their buses. Judge Carter ruled out the testimony of two of these as too vague.

Three Negroes were called to testify on intimidation. Judge Carter ruled out the testimony of one. He accepted that of a Negro man who said he had been pulled from a bus, and that of a woman who said she had been beaten because she persisted in riding the buses.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 195

THE NEW YORK TIMES

THURSDAY, MARCH 22, 1956

MONTGOMERY NEGROES TELL COURT OF ABUSE BY CITY'S BUS DRIVERS

By Wayne Phillips

Special to The New York Times

[fol. 1025] MONTGOMERY, Ala., March 21—Montgomery Negroes testified today that they had stopped riding the city buses because of shooting and threats and insults by drivers.

None of the score of witnesses said he had stopped riding the buses because of the protest movement led by the Montgomery Improvement Association headed by the Rev. Dr. Martin Luther King, Jr.

Dr. King is on trial for conducting an illegal boycott. Eighty-nine other Negroes have been arrested on similar charges.

The association was formed by Negroes after the arrest of Rosa Parks, a seamstress for refusing to give up her seat to a white person. Most Montgomery Negroes have refused to ride the bity buses since Dec. 5, when she was tried. They have used a pool of 300 cars organized by the association.

The Negroes have demanded, through the association, that the bus company assure greater courtesy by drivers, seat passengers on a "first-come, first-served" basis and employ Negro drivers on predominantly Negro routes.

Dr. King said today that the protest movement could be settled now on the basis of those demands even though

the protest had been extended to a general attack on segregation in city transportation.

The defense opened by seeking to establish a "just cause" for Negroes' refusal to ride the buses. Three leaders of Negro civic associations testified that they had asked city and bus company officials for better riding conditions on several occasions since 1952.

Among their complaints were discourtesy and insults by drivers, being forced to stand beside empty seats reserved for whites, being left behind while going to the rear door, and drivers' picking up white passengers at every block, but colored passengers only at every other block.

Mrs. Thelma Glass, a member of the Women's Political Council, testified that nothing had been done by the bus company or city officials about any of the complaints except the refusal to stop at every corner.

Mrs. Sadie Brooks, a member of the Civic Federation, [fol. 1026] testified to the reluctance of drivers to make change for Negroes. She told of a bus driver who had forced off the bus a Negro at the point of a gun when the man offered a dollar bill to be changed.

Another woman, Mrs. Stella Brooks, testified that she had stopped riding the buses in 1950 because her husband had been shot to death when, she said, he refused to obey a driver's order to stay off the bus. Her testimony was stricken on the ground that she had not witnessed her husband's death.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 196

THE NEW YORK TIMES

TUESDAY, APRIL 24, 1956

ARMY SEEKS ORDNANCE AIDES

Special to The New York Times

HUNTSVILLE, Ala., April 23—William C. Howe has been installed at the headquarters of the New York Ordnance District, 180 Varick Street, New York, as a recruiting rep-

resentative of the Army Ballistic Agency at Redstone Arsenal here. Mr. Howe is qualified to rate Civil Service potential employees. Jobs open at the agency are primarily in engineering, mathematics and physics.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 197

THE NEW YORK TIMES

WEDNESDAY, APRIL 25, 1956

BOYCOTT CONTINUES

Special to The New York Times

MONTGOMERY, Ala., April 24—Racial barriers on Montgomery buses were removed today but leaders of both races stood firm on their goals.

[fol. 1027] The Rev. Dr. Martin Luther King, Jr., spokesman for the Negroes who have been boycotting the city's buses since last Dec. 5, said "there will be no immediate change in our position." He said the boycott would continue.

Police Commissioner Clyde Sellers said that bus drivers who permitted desegregation on their buses would be prosecuted.

Dr. King issued his statements after a meeting of the board of directors of the Montgomery Improvement Association, the group that directs the boycott.

"Two of our original three proposals have apparently been met," he said, "but we are awaiting word on the third —employment of Negro bus drivers for predominantly Negro routes."

The few Negroes riding Montgomery's buses today still sought seats in the rear as they boarded.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 198

THE NEW YORK TIMES

SUNDAY, OCTOBER 14, 1956

COURT HOLDS KEY TO BUS BOYCOTT

MONTGOMERY NEGROES FIRM AS THEY AWAIT VERDICT ON SEGREGATION APPEAL

Special to The New York Times

MONTGOMERY, Ala., Oct. 13—After ten months, the Negro boycott of Montgomery City buses continues without let-up or official effort to end it.

No further action, by either the boycott leaders, the City Commission or the bus company, is expected until the United States Supreme Court acts on an appeal from a special panel of three Federal judges. They ruled in June that city and state transportation laws requiring segregation were unconstitutional.

The action was brought by several Montgomery Negroes [fol. 1028] after the boycott reached a stalemate. The ruling was appealed to the Supreme Court by attorneys for the Montgomery City Commission and the state. At the time of the decision, the City Commission issued the following statement, which is presumably still the official attitude:

"There is no doubt that an end of segregated seating arrangements on public conveyances will effect a drastic change in the habits of the people.

This change, which would alter customs which have been in existence since before the city was founded, would have an obviously severe impact upon its citizens. The commission is of the opinion that every step possible should be taken to prevent such change * * *"

Commissioners Join Council

All three City Commissioners—including Mayor W. A. Gayle—joined the Montgomery White Citizens Council soon after the boycott began. All are avowed proponents of continued segregation in all phases of community life.

The boycott began Dec. 5 after the arrest and conviction of a Negro seamstress, Mrs. Rosa Parks, for refusing to give up her seat and move to the rear of the city bus to make room for whites.

The Montgomery Improvement Association was formed by local Negroes, with the Rev. Mr. Martin Luther King, Jr. as spokesman. The boycott began that same day and has continued unabated since.

By the bus company's own estimate, some 95 per cent of the former Negro commuters have refused to ride buses. Before the boycott began, Negroes comprised about 70 per cent of the company's passengers.

In February, Dr. King and about ninety other Negroes, mostly ministers, were arrested for violation of a 1921 anti-boycott law. The indictments were aimed principally at the operation of a car pool that was organized soon after the boycott began.

Dr. King Convicted

In March, Dr. King, the first to be tried, was convicted and fined $500 plus $500 in costs. He appealed and the trials of the other defendants were continued, at the request [fol. 1029] of the prosecutor, pending the outcome of the case, which is still before the Alabama Court of Appeals.

Dr. King has been free on bond since, still serving actively as the boycott leader.

With local and out-of-state contributions, churches participating in the boycott bought a number of new station wagons—fourteen at last count—plus several older models that have been assigned to the car pool.

In addition to these, about two hundred privately owned automobiles are still in use in the car pool.

For the most part the boycott has been without violence, though tensions and ill-will have resulted. Small charges of dynamite were set off at the homes of Dr. King and two other boycott leaders.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 199

THE NEW YORK TIMES

FRIDAY, DECEMBER 21, 1956

NEGROES TO TEST BUS RULING TODAY

A notice to drivers was posted at the office of Montgomery City Lines, Inc., which operates the city's only bus service. It contained a copy of the injunction writ along with instructions to bus operators to cease enforcing segregation laws.

J. H. Bagley, the bus company manager, said it would be impossible to resume full service on all former routes immediately, but that would be done "as fast as possible." Many drivers were laid off and routes through predominantly Negro sections of Montgomery were discontinued during the boycott.

Marshals Leave Writs

The enforcement of city and state laws requiring separate seating of white and Negro passengers was ordered halted [fol. 1030] here shortly before noon when United States marshals served writs of injunction carrying out the decision handed down by the Supreme Court Nov. 13.

The injunction directed against city and state authorities and the bus company was first issued last June 19 after a three-judge Federal court panel held the segregation laws unconstitutional.

Pending appeal to the Supreme Court, the restraining order was suspended and put into effect immediately when formal notice of the Supreme Court ruling arrived here in the mail.

Although the decision knocked out the state law as well as a Montgomery City Ordinance requiring bus segregation, the injunction against continued enforcement applied only here. Presumably, it will take a separate court order to extend it to other Alabama cities.

BIRMINGHAM WARNED

Special to The New York Times

BIRMINGHAM, Ala., Dec. 20—A Birmingham Negro group asked the Birmingham City Commission today to end segregation on public buses immediately.

If the Commission did not meet their request the group said in a prepared statement, "Negroes plan to ride the buses unsegregated."

"If there is any interference with the Negroes riding buses unsegregated, we will take whatever action is necessary," said the Rev. F. L. Shuttlesworth, president of the Alabama Christian Movement for Human Rights.

The group was formed here last year after Montgomery Negroes began their bus boycott.

Birmingham's City Commission will meet next Wednesday. City Commissioners had agreed several weeks ago on a "no comment" attitude on the bus segregation issue pending a study of any petitions such as the one filed today.

A Birmingham ordinance forbids Negroes and whites to sit together at public gatherings and in public conveyances.

The Negro group also sent a letter to the Birmingham Transit Company, requesting it to desegregate its buses, [fol. 1031] remove white and Negro seating signs and hire Negro bus drivers.

The letter to the Transit Company also asked that seating be on a "first come, first served" basis. The company made no comment immediately.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 200

THE NEW YORK TIMES

FRIDAY, DECEMBER 7, 1956

NEGROES MARK BOYCOTT

BUS INTEGRATION MOVE BEGAN YEAR AGO IN MONTGOMERY

Special to The New York Times

MONTGOMERY, Ala., Dec. 6—The ringing of Montgomery Negro Church bells early today began a "day of fasting and prayer." It marks the beginning of its second year of resistance to segregation by Negroes here.

Delegates to the Negro Institute on Non-Violence and Social Change, being held here this week, and other Negroes participated in the commemoration of the start of the bus boycott a year ago.

The Negroes are waiting for the Supreme Court decision of Nov. 13 banning bus segregation to be relayed to United States District Court here.

At that time continued enforcement of segregated seating of city buses will be illegal in Montgomery. Negroes earlier voted to end the bus boycott when this came about.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 201

THE NEW YORK TIMES

SATURDAY, DECEMBER 29, 1956

NEGRO WOUNDED IN ALABAMA BUS

[fol. 1032] The police theorized that both shots had come from the direction of a new Negro housing project.

After the first shooting had been reported and the bus had gone to police headquarters, the white passengers boarded the bus to continue their trip.

The Negroes refused to board the bus.

After the second shooting all the passengers were returned to police headquarters, lying on the floor of the bus at the orders of a detective who had ridden on the bus after the first incident.

After the second interrogation the passengers were returned to their homes in police cars. Mr. Fullilove said most of the riders had thought the first shot was a firecracker.

Mr. Fullilove said when the injured woman had screamed "Something hit me" and the other passengers saw blood on her legs, they realized they had been under fire.

Mrs. Jordan had been sitting on the left side of the bus near the rear wheel on a seat parallel to the window.

Normal bus operations were to be resumed at 6 A.M. tomorrow, the police commissioner said, with "normal" police protection.

Segregation on buses was ended formally on Dec. 21. Two other shooting incidents also took place on Wednesday night, when nine shots were fired into parked buses in different sections of the city.

RETURN TO SEGREGATION

Special to The New York Times

BIRMINGHAM, Ala., Dec. 28—While Birmingham Negroes returned to segregated riding on city buses here today, city officials sought ways to block efforts to knock out Birmingham's segregation ordinance in Federal Court.

Leaders of the integration group, the Alabama Christian Movement for Human Rights, instructed their followers to return to the marked Negro sections of buses, while an attempt is made by the Negroes to obtain an early Federal Court verdict to abolish segregated seating of passengers. [fol. 1033] Twenty-one Negro supporters of the Alabama Christian Movement group were arrested Wednesday after they sat in the marked white sections of buses operating in the city. Another Negro was arrested yesterday for the same reason. All twenty-two were specifically charged with violation of the city's ordinance that prohibits white

and Negro persons from riding public conveyance in the city on an integrated basis.

Conviction subjects the person charged with a $100 fine or six months in jail, or both.

Official city sources hinted today, however, charges against the Negroes might be changed to a charge of "breach of the peace" or "disorderly conduct" or might be dropped altogether.

This would be an effort to avoid putting the city ordinance up for an immediate test.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 202

THE NEW YORK TIMES DECEMBER 29, 195

NEGRO WOUNDED ON ALABAMA BUS

MONTGOMERY WOMAN IS SHOT ON SEGREGATED VEHICLE

Special to The New York Times

MONTGOMERY, Ala., Dec. 28—A Negro woman was wounded here tonight by a sniper's bullet fired from ambush into a city bus that was carrying twelve white and Negro passengers.

Clyde C. Sellers, Montgomery Police Commissioner, ordered all buses halted for the rest of the night.

The same bus was fired upon a short while later. No one was injured in the second shooting.

The Negro woman was identified as Mrs. Rosa Jordan, 22 years old, a laundry worker. The bullet pierced one leg and lodged in the other.

[fol. 1034] The first shooting took place about 6:35 P. M. as the bus proceeded along Columbus Avenue. The neighborhood is a fringe area housing both whites and Negroes.

The bus driver, W. H. Fullilove, reported that the white and Negro passengers had been seated in customary segregated seating arrangements.

The second shooting occurred at almost the same spot after the bus had resumed its run after stopping at police headquarters where passengers were interrogated.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 203

THE NEW YORK TIMES DECEMBER 30, 1956

MONTGOMERY SETS A NIGHT BUS BAN

Two days before Christmas a shot was fired at the home of a leader of the boycott. The next day a girl was beaten. This week the incidents grew and last night, following the shooting of Mrs. Jordan, service was suspended. Today service was resumed with nights runs banned.

NEGROES RETAIN ATTORNEY

Special to The New York Times

BIRMINGHAM, Ala., Dec. 29—Arthur D. Shores, a Negro lawyer long identified with integration court cases, has been retained to defend twenty-two Birmingham Negroes arrested this week for riding in the white sections of public buses.

The trial of the twenty-two is scheduled in City Recorder's Court next Thursday. But Robert Lindbergh, Birmingham Public Safety (police) Commissioner, had indicated that the cases probably will not be heard for at least a week after that date. He said a heavy backlog of holiday cases had loaded the docket.

[fol. 1035] FIRE INTO BIRMINGHAM BUS

BIRMINGHAM, Ala., Dec. 29—Two white men fired into the rear of a Birmingham city bus tonight in a Negro section, the police reported. No one was injured.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 204

NEW YORK TIMES

SUNDAY, DECEMBER 30, 1956

MONTGOMERY BARS BUS RUNS AT NIGHT

CITY DECLARES 'EMERGENCY' FOLLOWING FOUR SHOOTINGS ON INTEGRATED LINES

Special to The New York Times

MONTGOMERY, Ala., Dec. 29—The city today canceled night buses for the holiday week-end.

The Montgomery City Commission took the action in emergency session this morning. In a resolution after a meeting with bus officials, the commission took note of the fact that four buses had been fired on in the last three days and that, consequently, "an emergency exists."

The resolution noted that all the attacks had occurred at night and thus, "for the protection of health life and property" all runs after 5 P. M. were ordered suspended, effective today.

The suspension is effective through New Year's Day. The commission made no statement as to plans after that.

The commission based its action in limiting operations of the newly integrated Montgomery City Lines, Inc., on its police powers.

Mrs. Rosa Jordan, 22-year-old Negro laundry worker, was shot in the legs early last night by a sniper as she rode in a city bus. She is listed as in satisfactory condition. An operation planned for today on her shattered left leg has been postponed.

No arrests have been made in connection with the shooting.

[fol. 1036] Buses were integrated in Montgomery Dec. 21 after Negroes had boycotted them for more than a year. The Negroes won their case when the Supreme Court ruled such segregation unconstitutional.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 205

THE NEW YORK TIMES

MONDAY, DECEMBER 31, 1956

RACIAL VIOLENCE FOUND DECLINING

TUSKEGEE REPORT SAYS MOST COMMUNITIES ARE SPURNING INFLAMMATORY APPEALS

TUSKEGEE, Ala., Dec. 30 (AP)—Most citizens refused to respond to "inflammatory appeals or to incitement to violence" in 1956, the Tuskegee Institute reported today in its annual race relations study.

"There was Deep South resistance to any change," the report said. "Border states experienced progress in legal desegregation. Other areas speeded their reexamination of undemocratic practices.

The report said most public demonstrations and violence aimed at intimidating Negroes had occurred mainly in communities whose officials "apparently condoned them."

"They did not take place, or were promptly suppressed, in communities whose public officials discouraged them," it added.

Cites General Orderliness

Dr. L. H. Foster, president of the institute, released the forty-third annual survey, which emphasized the continuing legal battle for desegregation.

"Race relations in the South in 1956 may not be measured by acts of obstruction by the segregationists or by the aggressive moves of the desegregationists," the report commented. "The situation may be judged more accurately by assessing the degree of general orderliness in activities affecting race relations.

[fol. 1037] "Despite some incidents of violence, desegregation activities during the year were generally orderly, which was a most encouraging expression of the vitality of American democracy."

The fourteen page report summarized the impact of nonsegregation rulings by the Supreme Court, as well as action

by judicial, legislative and executive branches of government affecting race relations.

It mentioned the "dramatic passive resistance" used in the long protest against segregated buses in Montgomery.

"Great reliance was placed on democratic processes," the report said, "as people in the South began to deal with the practical task of adjusting public activities to the principle of non-segregation.

"The principle of non-segregation neither directs nor restrains the individual in his personal relationships, beliefs or attitudes. Freedom of choice in these personal matters remains an individual right."

The report noted that 208 school districts in eight states desegregated in 1956. The states were: Delaware, Maryland, Kentucky, Missouri, West Virginia, Oklahoma, Texas and Tennessee.

Louisville, Ky., was cited as a notable example of school board action on desegregation.

BOYS IN BIRMINGHAM HELD AS BUS SNIPERS

Special to The New York Times

BIRMINGHAM, ALA., Dec. 30—The Birmingham police held a group of Negro boys tonight ranging from 8 to 13 years old after a city bus was fired on in a suburban district.

The boys said they were just trying out their Christmas air rifles, the police said.

Shortly before midnight last night a bus was fired on in a Negro residential area. It was carrying three Negro passengers.

The shot, which the police believe was fired from an air rifle, struck a window near where a Negro was seated but injured no one.

Tonight's incident marked the beginning of the second week of efforts by Birmingham Negroes to end segregated [fol. 1038] seating on the city's buses. At the start of the campaign a Negro minister's home was bombed. Later twenty-one Negroes were arrested for riding in sections of buses marked for whites.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 206

THE NEW YORK TIMES

THURSDAY, JANUARY 3, 1957

MONTGOMERY BUSES KEPT UNDER CURFEW

Special to The New York Times

MONTGOMERY, Ala., Jan. 2—The curfew on city bus operations was extended today for a week.

A four-day ban on service after 5 P. M. originally was imposed Saturday by the City Commission after snipers had fired on three buses of the Montgomery City Lines. One Negro woman was injured seriously.

The three-member commission also approved an appropriation of $60,000 for the hiring of twenty additional policemen.

The attacks followed a Federal Court order Dec. 21 barring segregation in public buses here.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 207

THE NEW YORK TIMES

MONDAY, JANUARY 14, 1957

NONVIOLENCE STRESSED

Montgomery Negro Leader Urges Campaign Continue

Special to The New York Times

MONTGOMERY, Ala., Jan. 13—The Rev. Martin Luther King, Jr. urged Negroes today to hold to their campaign of nonviolence on the bus integration issue.

[fol. 1039] Mr. King is leading the campaign here. In a sermon at the Dexter Avenue Baptist Church, of which he is pastor, he said he was convinced "more than ever" that violence was not the way to win.

Mr. King praised an editorial in Friday's Montgomery Advertiser urging the resumption of bus travel with police protection. He also praised an advertisement in the paper deploring outbursts of violence here. The advertisement was signed by a group of business and professional leaders.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 208

THE NEW YORK TIMES
WEDNESDAY, JANUARY 16, 1957

BUS SERVICE RESUMED

Special to The New York Times

MONTGOMERY, Ala., Jan. 15—Bus service during daylight hours will be resumed tomorrow morning. Police protection will be provided for the last run, the City Commission said today.

The commission had stopped the Montgomery City Lines last Thursday after integrated buses were fired upon. Bombs also shattered four Negro churches and the home of a Negro minister and a white pro-integration minister.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 209

THE NEW YORK TIMES
THURSDAY, JANUARY 17, 1957

MONTGOMERY BUSES RESUME DAY SERVICE

Special to The New York Times

MONTGOMERY, Ala., Jan. 16—Montgomery's newly integrated buses began running again today after a six-day stoppage.

[fol. 1040] The stoppage was ordered last Thursday after shots had been fired at six buses and some Negro churches had been bombed.

The buses ran today on a limited, daylight schedule, with last trips starting at 5:15 P.M. Police guards were assigned to buses finishing their last runs after night fall.

As the service resumed, it appeared that Montgomery was working out its own system of integration.

Some buses carried Negro passengers only. Others carried a few whites and no Negroes. When whites and Negroes rode the same buses, the Negroes took seats from the middle of the bus back, while the whites stayed in the front. No incidents were reported.

Legal integration of buses was started on Dec. 21.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 210

THE NEW YORK TIMES

SATURDAY, JANUARY 26, 1957

SUIT ASKS BAN ON BIAS

2 ALABAMA NEGROES ATTACK LAW ON SEPARATE WAITING ROOMS

Special to The New York Times

BIRMINGHAM, Ala., Jan. 25—Alabama's law requiring Negroes and whites to sit in separate waiting rooms at railroad stations was attacked as unconstitutional in United States District Court here today.

Two Birmingham Negroes, Carl L. Baldwin and Alexinia Baldwin, filed a petition in the court asking that the state segregation law be voided and that its enforcement be barred in Terminal Station here.

The two Negroes were arrested here last Dec. 22 on a charge of disorderly conduct when they took seats in the section designated for white people in the station. Their city trial is pending.

Their petition asks the court to enjoin city and state officials from enforcing the segregation law until a final determination of the case has been made.

[fol. 1041]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 211

THE NEW YORK TIMES

FRIDAY, FEBRUARY 22, 1957

NEGROES WIN BUS TEST

U. S. JUDGE REFUSES TO DISMISS THEIR BIRMINGHAM SUIT

Special to The New York Times

BIRMINGHAM, Ala., Feb. 21—The City of Birmingham lost the first round today in a fight to maintain its ordinance requiring segregated seating on public buses.

Judge H. Hobart Grooms of the United States District Court denied a motion by city attorneys to dismiss a complaint by twenty-one Negroes who had asked that the city law be declared unconstitutional and that the city be restrained from enforcing bus segregation.

The Negroes were arrested last Dec. 26 when they engaged in a mass violation of the ordinance by sitting in the white section of city buses. The Negroes are members of the Alabama Christian Movement for Human Rights, an organization formed when the National Association for the Advancement of Colored People was outlawed in Alabama.

Trial of the Negroes in a city court has been postponed twice and is now set for March 18.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 212

THE NEW YORK TIMES

SUNDAY, MARCH 3, 1957

SHIPBUILDERS SIGN WAGE POST

Special to The New York Times

MOBILE, Ala., March 2—Alabama Dry Dock and Shipbuilding Company signed a new three-year contract today

with the Marine and Shipbuilding Workers of America. The contract provides wage increases ranging from 11 cents an hour for laborers to 20 cents for first-class mechanics. [fol. 1042] The previous top wage rates were $2.25 an hour.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 213

THE NEW YORK TIMES

SUNDAY, MARCH 17, 1957

NEW VOTER BOARD WARY IN ALABAMA

COUNTY REGISTRARS FACE U. S. AND NEGRO SCRUTINY WHEN COMPILING ELECTION ROLLS

Special to The New York Times

NOTASULGA, Ala., March 16—Macon County's Board of Registrars, recently brought up to full strength by the appointment of two members, will be operating under the watchful eyes of the Department of Justice for the Advancement of Colored People.

Former boards have died after stormy careers, charges of discrimination against Negroes and a Federal Court suit brought by Arthur D. Shores, an attorney for the association.

The chairman of the three-man board is E. P. Livingston, until last week president of the Macon County White Citizens Council. He is a retired oil man and farmer, who says he lives here just "fishin' and piddling' around."

The other new appointee is Jee Zackary, also of Notasulga, a retired merchant and farmer. Grady Rogers of Tuskegee is the only survivor of the old board, which was reduced to one member by a death last year. The third member of the old board resigned last year after the board has registered thirteen Negroes and one white person.

Pressures From Both Sides.

Pressure on the board has come from both whites and Negroes. The situation was brought before Congress re-

cently by Representative Adam Clayton Powell, Jr., Democrat of Manhattan, who charged that board posts were being deliberately left unfilled.

This accusation has been denied by State Senator Sam [fol. 1043] Engelhardt of Macon County, executive secretary of the Alabama Citizens Councils and political leader of the predominately Negro county.

Mr. Livingston said the board "will meet soon," but that no date has been set. He said that it would process "as many registrations as possible."

According to Senator Engelhardt, Macon County has about 27,500 Negroes and 4,200 whites. Of these, 1,053 Negroes and about 2,200 whites are registered to vote. Macon County, in east central Alabama, is the site of Tuskegee Institute, noted Negro school.

Mr. Engelhardt said that 85.32 per cent of the county's residents were Negroes and he saw no reason for their low registration figure.

Calls Rules Standard

"Requirements are the same for every person—white or Negro—in the state," Mr. Engelhardt said at his White Citizens Council headquarters in Montgomery. "If they (Negroes) don't vote, it's because they don't care to vote," he added.

The standard voter registration form contains twenty-one questions and a loyalty oath, but the twentieth question is the catch-all on which the board unofficially grades applicants, it states:

"Name some of the duties and obligations of citizenship." Then it asks: "Do you regard those duties and obligations as having priority over the duties and obligations you owe to any other secular organization when they are in conflict?"

The only other requirement for voting that might discourage the Negroes is the $1.50 poll tax. But this is waived for persons over 44 years old and for veterans.

When the new board starts operation for permanent personal registration, members of the board will be aware that false steps in either direction are likely to cause the board to be dissolved.

[fol. 1044]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 214

THE NEW YORK TIMES

SUNDAY, MARCH 17, 1957

DR. SEALE HARRIS, PHYSICIAN, IS DEAD

DISCOVERED OF HYPER-INSULISM WHO PERFECTED CURE FOR IT ONCE WAS HEAD OF A.M.A.

Special to The New York Times

BIRMINGHAM, Ala., March 16—Dr. Seale Harris, internationally known Birmingham physician who discovered hyperinsulism and perfected a cure for it, died at the home of his daughter here early tonight. He was 87 years old.

Dr. Harris made his discovery of hyper-insulism, the "opposite" of diabetes, while working with Dr. Frederick A. Banting, the Canadian physician who discovered insulin as a treatment for diabetes.

A monument to Dr. Harris' work is Highland Baptist Hospital here, which he built and originally named Gorgas Hospital. The hospital was established as a modern dietetic institution patterned after the institution of Johns Hopkins. Dr. Harris named the hospital for Gen. William C. Gorgas, under whom he served in World War I on the research committee of the American Red Cross.

In 1950, Dr. Harris, in recognition of his discovery of hyper-insulism, received the distinguished service medal of the American Medical Association, the highest honors these groups confer.

Dr. Harris was a past president of the American Medical Association and had been publisher of the A.M.A. magazine. He was also a past president of the Southern, Alabama and Jefferson County Medical Associations.

The former owner and editor of the American Medical Journal, Dr. Harris was the author of the two best-selling biographies, "Banting's Miracle" and "Women's Surgeon."

Born at Cedartown, he graduated in medicine from the Universities of Georgia and Virginia. He did post-graduate work at New York Polytechnic Hospital, the Post-Graduate Medical School, Chicago, John Hopkins Medical School and the University of Vienna. He began his practice [fol. 1045] in Alabama in 1894 and had worked for forty-two years in Birmingham.

In 1919, Dr. Harris was a member of President Woodrow Wilson's official party to Italy, and later was sent to Europe by the Federal Government to investigate food conditions and nutritional diseases in Austria, Germany and Italy.

Survivors include a daughter, Mrs. John J. Keegan; two sisters and two grandchildren.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 215

THE NEW YORK TIMES
THURSDAY, DECEMBER 19, 1957

VOTING IN ALABAMA MARKED BY APATHY

Special to The New York Times

BIRMINGHAM, Ala., Dec. 18—Post-election analyses of yesterday's vote in Alabama approving the abolition of Macon County showed that only about a quarter of the state's registrants cast ballots on the controversial issue.

Supporters of the measure are seeking to curb the political power of Negroes in the county. Macon County's population is predominantly Negro.

Only an estimated 200,000 of the state's approximately 825,000 registered voters cast ballots on a bulky list of twenty-five amendments to the state constitution. There were a lot of factors that could partly account for the small turnout of voters, but one outstanding political development emerged.

If Alabama's white voters were as concerned about potential Negro strength as the white supremacists have contended, the voting on Tuesday would certainly have shown not only a larger turnout but would also have pre-

duced a top-heavy victory for those urging the abolition of Macon County.

[fol. 1046] Final decision on the Macon question now goes to a special legislative committee, which must recommend technical and legal points through which the abolition of the county may be carried out.

The amendment authorizes the Legislature to divide the central Alabama county and its large Negro population majority among neighboring counties.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 216

THE NEW YORK TIMES

MONDAY, JANUARY 6, 1958

BEEF CATTLE UP IN ALABAMA

Special to The New York Times

MONTGOMERY, Ala.—Beef cattle production in Alabama has become a major source of income for the state's farmers. Last year there were 1,175,000 head of beef cattle on Alabama farms, ranking the state eighteenth in the nation, fourth in the southeast and sixth in states east of the Mississippi river.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 217

THE NEW YORK TIMES

THURSDAY, MAY 16, 1957

TEACHER AT AUBURN OUSTED IN BIAS CASE

Special to The New York Times

AUBURN, Ala., MAY 14—An assistant professor at Alabama Polytechnic Institute accused the board of trustees today of curbing free speech. He said he had been dismissed for a letter he wrote praising school integration efforts in New York.

Prof. Bud R. Hutchinson, a native of San Gabriel, Calif., said his letter in The Plainsman, the college weekly, had [fol. 1047] been in reply to an editorial criticising integration in New York.

The editorial charged that the New York Board of Education had submitted to pressure groups demanding a "balance" between races in public schools.

Dr. Ralph Draughon, president of the institute, commented:

"Mr. Hutchinson published a letter • • • in which he expressed views which are not in keeping with the viewpoint of the Alabama Polytechnic Institute on the question of segregation.

"In light of the tensions and emotions over this question in Alabama, I felt Mr. Hutchinson could not expect to advance his career at this institution."

Professor Hutchinson came here last September to teach economics.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 218

THE NEW YORK TIMES

SUNDAY, JULY 7, 1957

NEGROES STOPPING ALABAMA BOYCOTT

LEADER OF TUSKEGEE ECONOMIC STRIKE SAYS AIM IS ACHIEVED, BUT REDISTRIBUTION IS SET

Special to The New York Times

TUSKEGEE, Ala., July 6—A two-week-old Negro economic boycott, in retaliation against a proposed redistribution of this predominantly Negro city, appeared to be ended today.

However, one of the principal purposes of the boycott which started June 25 when Negroes were urged to stop buying from white merchants, was achieved.

"The attention of the nation was focused on our plight here in Tuskegee through the boycott," Charles G. Gomillion, president of the Tuskegee Civic Association, said today.

Mr. Gomillion, dean of students at Tuskegee Institute, admitted that many Negroes in Tuskegee had continued [fol. 1048] to patronize white merchants and that the boycott was in its twilight phase.

Bernard D. Cohn, manager of the city's largest department store, voiced the majority opinion of the boycotted merchants when he said:

"The Negro leaders picked the wrong target. The merchants didn't have anything to do with Senator Engelhardt's bill. I think they realize that the boycott is unfair. We've worked closely with the Negroes on charity drives and when they asked for credit we extended it without question."

The bill referred to by Mr. Cohn would redesign Tuskegee city limits and reduce the Negro population from 400 to twelve persons. The bill, introduced by State Senator Sam Engelhardt of Macon County, of which Tuskegee is the seat, has passed both legislative houses unanimously and is waiting Gov. James E. Folsom's signature.

Bill Signing Expected

No person in Macon County, or even Alabama, thinks the reapportionment bill will be vetoed by Governor Folsom. It will pass into law July 12, unless Governor Folsom vetoes or signs it before then.

However, Senator Engelhardt's gerrymandering proposal is only the "straw that broke the camel's back," Mr. Gomillion said.

It was the flame that ignited the boycott but the failure of the Macon County Board of Registrars to register Negro voters is the act that has troubled this city's Negro leaders.

The board has not been at full strength from Jan 16, 1956, until April of this year. And it did not accept applicants until June 6 because "we didn't have proper furniture" to carry out registrations.

The new board consists of E. P. Livingston, brother of Chief Justice J. Ed Livingston of the Alabama Supreme Court. E. P. Livingston is a leader in the White Citizens Council and he lives in retirement in near-by Notasulga.

The other two board members are Jesse Zachary and Grady Rogers, who were appointed with the Approval of Mr. Gomillion and two other leaders of the Tuskegee Civic Association, were outspoken in their criticism of the Macon County Board of Registrars, Dr. T. T. Tildon, manager of the Veterans Administration Hospital here and Dr. [fol. 1049] E. H. Foster, president of Tuskegee Institute, were bitter toward the board members for "obvious delaying tactics" and their failure to register more "than a handful of Negroes during their four-day session this last week.

Civil Council Criticized

Mr. Tildon, Mr. Gomillion and Mr. Foster also criticized the Tuskegee City Council and the State Legislature, which failed to answer their pleas to be heard on the redistribution bill.

With Tuskegee Institute and the V. A. hospital payrolls going mostly to Negroes, the average per capital Negro income in Tuskegee, according to Mr. Gomillion, is about $3,000, above average for Alabama.

The 27,000 Negroes in Macon County may be facing a bigger fight when the Alabama Legislature reconvenes this coming week.

Senator Engelhardt, head of the Alabama Association of Citizens Councils, is preparing a bill that would abolish Macon County altogether.

Should his proposal become law, Macon County, which he represents, would be absorbed by the predominantly white counties of Montgomery, Lee, Bullock, Elmore and Tallapoosa.

Senator Engelhardt, at his Citizens Council headquarters behind a Montgomery motel, said of his proposal:

"The folks up there feel like I do. Civil rights legislation is going to pass the United States Senate either this year or next and we're going to be prepared for it. We couldn't stand seeing a Negro in the Alabama Legislature.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 219

THE NEW YORK TIMES

FRIDAY, SEPTEMBER 6, 1957

COLLEGE HEAD NAMED

U. of Alabama Trustees Pick Transylvania President

Special to The New York Times

[fol. 1050] MONTGOMERY, Ala., Sept. 5—University of Alabama trustees unanimously elected as president Dr. Frank A. Rose, president of Transylvania College, Lexington, Ky.

An ordained Christian Church minister, Dr. Rose, 36 years old, has been president of Transylvania since 1951.

He will fill the post vacated nearly a year ago by Dr. Oliver C. Carmichael, who resigned. Dr. James H. Newman, Dean of Administration, has served as acting president.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 220

THE NEW YORK TIMES

WEDNESDAY, JUNE 4, 1958

PATTERSON GAINS ALABAMA VICTORY

WINS DEMOCRATIC PRIMARY RUN-OFF AGAINST WALLACE FOR THE GOVERNORSHIP

Special to The New York Times

BIRMINGHAM, Ala., June 3—John Patterson, State Attorney General, won easily tonight on his bid for the Governorship.

His opponent, Circuit Judge George C. Wallace, conceded after Mr. Patterson had amassed a substantial lead in unofficial returns from the Democratic run-off primary. Victory in the primary is equivalent to election in this Deep South state.

With 2,887 of 3,154 boxes having reported, Mr. Patterson led by 280,315 votes to 226,476.

The Attorney General received 34,424 more ballots than Judge Wallace in the first primary May 6. The run-off was necessary because he had failed to win a majority of votes cast for the fourteen aspirants in the race.

Foes of Oath Lead

Meanwhile, opponents of the loyalty oath that requires local Democratic candidates to pledge allegiance to the na- [fol. 1051] tional party organization were leading in their attempt to elect enough members to the State Democratic Executive Committee to control that body. This would give them power to carry out their campaign vow to repeal the oath.

The run-off campaign brought charges that the Ku Klux Klan was seeking to recapture an influential role in state politics. Mr. Wallace and two newspapers contended that Mr. Patterson had received Klan backing.

The Montgomery Advertiser said Mr. Patterson had used the name of the Klan's Grand Dragon in Alabama, Robert Shelton of Tuscaloosa in a letter soliciting support, and had referred to him as "a mutual friend."

The Greensboro Watchman charged that Mr. Patterson had held conferences with Klan leaders.

The Attorney General acknowledged that he was acquainted with Mr. Shelton. However, he denied that he had known he was a Klan leader.

Both candidates have declared themselves opposed to admitting Negroes to white schools.

Mr. Patterson, 36 years old, has served in his present post three and a half years. His father, Albert Patterson, was slain in Phenix City while campaigning against racketeers. The elder Patterson had been nominated for Attorney General shortly before his assassination. His son then declared for the post and was elected without opposition.

Factors held in Mr. Patterson's favor were his legal attacks on the operations of the National Association for the Advancement of Colored People in the state; his out-

spoken criticism of the administration of Gov. Jas. E. Folsom, and his promise to raise old-age pensions from $39 to $75 a month.

[fol. 1052]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 221

THE NEW YORK TIMES FRIDAY, JULY 24, 1959

BUDGETS 'HEDGED'

Special to The New York Times

BIRMINGHAM, Ala., July 23—Steelworkers in the Birmingham-Gadsden area apparently have "hedged" their budgets over the last several months against the possibility of a strike. For the time being—and that should extend for at least a month—there will be no severe pinch felt among the more cautious rank-and-file workers.

In the first place, a majority of the approximately 25,000 union members employed in United States Steel's Tennessee Coal & Iron Division at Birmingham and Republic Steel's Gadsden and Birmingham plants still had at least two weeks pay due them late this week. Still another group, although smaller, will draw an additional week's pay plus two days of average pay the last of July.

There is no question that last year's recession and the ensuing three and four-day week working schedules caused some belt tightening, but on the average striking steelworkers appear to be in much better shape to ride out a sixty-day strike than they were in the past.

One barometer is found in reports from employe credit union records. They indicate savings at a high and borrowing at a relatively low level. This trend has continued since working schedules returned to a general five-day week basis.

Alabama makes no unemployment payments to strikers. That is written into the state's unemployment law.

Birmingham, where the majority of the steelworkers are located, some time ago dropped its surplus food program and there are no relief agencies of consequence to which

idle workers can appeal except to the union. Local unions pay no strike benefits but will, in hardship cases, underwrite rent, food and medicine credit.

[fol. 1053]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 222

THE NEW YORK TIMES

FRIDAY, NOVEMBER 14, 1958

ROGERS ORDERS U. S. JURY TO STUDY ARREST OF 3 NEGROES IN ALABAMA

The grand jury members would, of course, be drawn from the local community. For that reason Justice Department officials are not overly optimistic that an indictment will be voted.

Mr. Rogers said that the department was considering possible proposals for civil rights legislation in the next Congress.

"If we can find something we think will work," he said, "we'll be for it. What we want to do is to solve the problem."

OFFICIAL REPLIES

Special to The New York Times

BIRMINGHAM, Ala., November 13—The Public Safety Commissioner of Birmingham said today that he would enforce the city's and state's laws.

The official, Eugene Connor, said:

"As long as I am Police Commissioner of the City of Birmingham I intend to enforce the laws of Birmingham and Alabama against crime and disorder. Those three Negroes so dear to Attorney General Rogers' heart came here to aid in an unlawful boycott under Title 14, Section 54 of the Code.

"I ordered them arrested and will order anyone else arrested, black or white, who attempts the same thing. If

Mr. Rogers thinks he can scare me or the Birmingham Police Department into permitting this city to become a scene of rioting which would follow just to please Negro voters he is mistaken."

[fol. 1054]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 223

THE NEW YORK TIMES

SUNDAY, DECEMBER 7, 1958

BUS BOYCOTT GAIN SEEN BY NEGROES

3 YEARS LATER, THEY FEEL NEW RESPECT IN MONTGOMERY DESPITE MUCH RANCOR

Special to The New York Times

MONTGOMERY, Ala., Dec. 6—Three years ago yesterday Negroes deserted the city's segregated bus system in a mass protest demonstration.

The objectives of the protest did not include desegregated seating. The Negroes' demands were:

More courteous treatment from bus operators.

Seating on a first-come, first-served basis with Negroes continuing to be seated from the rear and whites from the front.

Employment of Negro drivers on predominantly Negro routes.

The bus company refused these requests, although Negroes made up about 75 per cent of its passengers. The year-long boycott followed, punctuating by threats, intimidation and violence, including the bombing of the home of the Rev. Martin Luther King.

Dr. King heads the Montgomery Improvement Association, formed by Negro leaders to carry on the boycott.

Another organization, the White Citizens Council, also developed significant strength during the trouble and soon

counted among its membership the Mayor and the Police Commissioner.

High Court Decisive

The boycott ended when the United States Supreme Court on Nov. 13, 1956 held the bus segregation laws of Alabama and Montgomery unconstitutional.

Today, Negro bus riders sit where they please.

Although there were incidents immediately following bus desegregation, officials reported little trouble now.

Dr. King, who achieved international prominence for his role in the boycott, said in an interview that the bus problem "is history."

[fol. 1055] He noted that there were few complaints of trouble between white and Negro passengers and that the drivers were "very courteous."

"In the general atmosphere of the white community," he said, "there seems to be a new respect—not love—for the Negro. They seem to be saying, 'we didn't know it was in them'."

Moderates Are Casualties

However, Dr. King and other observers on both sides of the controversy said that the bus boycott had left traces of bitterness and some casualties, among them the white moderate.

"The moderate finds himself now in a position where he can hardly function," commented the minister. This was the result, he and the others agreed, of the enforced choosing of sides during the dispute.

The hardening of the lines within the community was generally expected to continue as a result of Dr. King's disclosure Thursday that the Negroes would take steps shortly to seek an end to school segregation.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 224

THE NEW YORK TIMES
SUNDAY, DECEMBER 7, 1958

CIVIL RIGHTS UNIT TO OPEN HEARING

MONTGOMERY SESSION BEGINS TOMORROW— FIGHT ON VOTE DATA FACES U. S. PANEL

Special to The New York Times

MONTGOMERY, Ala., Dec. 6—A headlong clash between state and Federal authority developed here as the Civil Rights Commission prepared to open its first full-scale field hearing Monday.

Local officials, including a circuit judge, indicated that they would defy the agency by refusing to surrender their records for a study of alleged discrimination against Negro [fol. 1056] voting applications in six counties. The hearing will be held without the records if necessary, according to a commission spokesman.

Registrars and probate judges were subpoenaed to appear at Federal Building here with their files to face the six-man biracial panel, created under the 1957 Civil Rights Act. Commission agents then learned that Circuit Judge George Wallace of Clayton, Ala., had impounded the records in two of the counties—Barbour and Bullock. He said that they were needed for an investigation of "fraudulent attempts to register."

The petitions on which the judge based his action were markedly similar, but he denied that he was seeking to hamper, the commission's work.

Judge Threatens Agents

The agents served Judge Wallace with a subpoena directing him to turn over the files. He responded with a challenge to the commission to enforce its order and threatened to jail any of its agents who sought to obtain the documents.

He declined to say what he would do if a Federal court ordered him to relinquish them. A commission spokesman said that the United States Attorney General would be requested to obtain such an order if they were not produced Monday.

The commission faced similar tests of its authority in four other counties—Macon, Lowndes, Wilcox and Dallas. Officials indicated that they would not give up their records unless told to do so by Gov-elect John Patterson, the State Attorney General.

Mr. Patterson had already advised Macon registrars to deny to the commission investigators access to their files, for which they did. He gave them and other officials similar advice after the subpoena had been served and he said that he would appeal any court order to the United States Supreme Court, if necessary, to retain possession of the records. This might take six months or more.

Negroes to Testify

Besides registrars and probate judges, witnesses will include Negroes who have complained that their voting rights were being denied.

[fol. 1057] The sessions, which are expected to last for about three days and to set the pattern for similar inquiries in other states, may significantly affect the future course of Federal action in this field.

The commission will use the information to report to the President and Congress and in preparing recommendations to be submitted next year for new civil rights legislation. As a result the hearing will be watched closely by officials throughout the South.

In holding the hearing here, the commission itself ran into racial discrimination. Montgomery hotels refused to accept as a guest J. Ernest Wilkins, former Assistant Secretary of Labor for International Affairs and a commission member. Mr. Wilkins is a Negro.

The panel and its staff will be quartered at near-by Maxwell Air Force Base. Special transportation will carry them between the base and the Federal Court downtown, where the hearing will be conducted.

Concerns Black Belt

All of the counties involved are located in the central Alabama Black Belt, so-called because of the color of its soil. The area's population is made up predominantly of Negroes, few of whom vote.

Commission officials said that the latest available statistics showed that no Negroes were registered in Lowndes County.

The focal point of the hearing, however, will be Macon County, home of Tuskegee Institute and scene of a long struggle over Negro voting rights.

Macon County has a population of 30,561, according to the 1950 census, and 84 per cent of it is Negro. The available voting statistics show that there are 3,016 whites and 1,110 Negroes on the voting rolls.

These figures point to a decided improvement over the situation twenty-two years ago, when only thirty-two Negroes were registered. But the Southern Regional Council estimated that there were still a total of 400 additional qualified Negroes in the town of Tuskegee alone without the franchise.

Negro leaders have long complained that the white [fol. 1058] officials who control the town and county refuse to register many faculty members of the Tuskegee Institute and the professional staff of a Veterans Administration hospital in the area.

The whites counter with a charge that the Negroes are attempting to "take over" the town.

The controversy came to a climax in June last year when the Alabama Legislature gerrymandered Tuskegee's city limits to exclude 410 of the town's 420 Negro voters. Negroes retaliated with a boycott, which has already forced more than twenty white merchants to close their establishments.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 225

THE NEW YORK TIMES

SATURDAY, FEBRUARY 7, 1959

U. S. ALABAMA SUIT ASKS NEGRO VOTE

Attorney General MacDonald Gallion dispatched investigators to Tuskegee, seat of Macon County, to examine applications of twenty Negroes listed in the suit on their complaints that they had been denied voting rights.

Gov. John Patterson issued a statement calling the Justice Department's action "another example of the reprehensible and irresponsible attitude that the present Administration in Washington is taking toward the states and state officials."

Second Suit Under Act

The department's suit was submitted to United States District Judge Frank M. Johnson, Jr., who recently ordered voter registration records in Macon and two other Alabama counties turned over to the Civil Rights Commission after state authorities had refused to produce them.

It is the second such suit filed under the 1957 Civil Rights Act. Trial is pending in identical actions against registrars [fol. 1059] in Terrell County, Ga.

The petition charged that voter registrars in Macon County had "persisted for many years" in denying Negroes the right to vote solely because of their race.

Charges against the board included these:

Use of "separate and discriminatory" facilities to accommodate white and Negro voters.

Failure and refusal to function as a registration board. (The two members of the board resigned last December after the current investigation was begun by the Civil Rights Commission.)

The keeping of irregular and unreasonable office hours and use of "other evasive schemes" to prevent Negro registration.

The setting up of different and "more stringent" standards for Negroes than for white applicants.

The failure to register qualified Negro applicants.

College Graduates Listed

These complaints were voiced by Negro witnesses at the December hearing of the Rights Commission in Montgomery.

Twelve of the twenty Negroes complaining listed in the suit that they are college graduates.

On December 1, 1958, there were 3,016 white voters in the county out of 3,100 white residents of voting age; there were 1,110 Negro voters of an eligible 14,000. (The county population is nearly 6-1 Negro.)

There was no comment today from the former registrars, State Representative Grady Rogers and E. P. Livingston, a brother of Alabama Supreme Court Chief Justice J. Ed Livingston.

In its suit the Justice Department contends that Mr. Livingston and Mr. Rogers must remain in office under state law until successors have been appointed and installed, and that no successors have been appointed.

Circuit Judge James A. Hare, Selma, received a letter Thursday from the chief investigator, A. H. Rosenfeld, who asked "an opportunity to examine the registrations and [fol. 1060] voting records" of Wilcox and Dallas Counties. Judge Hare referred the request to the grand juries.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 226

THE NEW YORK TIMES

SATURDAY, FEBRUARY 7, 1959

U. S. ALABAMA SUIT ASKS NEGRO VOTING

Special to The New York Times

MONTGOMERY, Ala., Feb. 6—The Justice Department filed a petition in United States District Court here today

for an injunction against what was described as the systematic denial of voting rights to Macon County Negroes "for many years."

The United States Commission on Civil Rights, meanwhile, entered a new phase of its investigation in Alabama on complaints that Negroes were being deprived of voting privileges. The commission has requested access to registration and voting records in Dallas and Wilcox Counties, where special grand juries impounded the records two days before a December hearing of the commission in Montgomery.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 227

THE NEW YORK TIMES

SATURDAY, FEBRUARY 21, 1959

ALABAMA SESSION ENDS

MEMBERS GET IMMUNITY FROM ARREST WHILE MEETING

Special to The New York Times

MONTGOMERY, Ala., Feb. 20.—The Alabama Legislature passed a bill today giving immunity from arrest or service of legal papers during a session.

The measure was among the last to clear the Legislature before it adjourned a special session called to approve a [fol. 1061] $60,000,000 road bond issue.

The bill resulted from the serving of a Federal complaint on Representative Grady Rogers of Macon County two weeks ago. Mr. Rogers was called out of the House Chamber by a Deputy United States Marshal and handed a copy of the complaint that charged Macon County Negroes had been denied voting rights.

Before leaving the capital the legislators gave unanimous approval to a resolution applauding white parents of Warren County, Va., for refusing to send their children to newly reopened integrated schools.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 228

THE NEW YORK TIMES SUNDAY MARCH 8, 1959

ALABAMA SCHOOL TRAINS THE ELITE

123 BOYS, AVERAGE I.Q. 140, SHARE NEW APPROACH TO SECONDARY EDUCATION

Special to The New York Times

HELENA, Ala., March 7—An experiment in education with significant possibilities for the high school of the future is being conducted here in a quiet valley at the foot of Double Oak Mountain.

This search for a new approach to instruction on the secondary level is being made at Indian Springs School, a non-profit private institution for boys.

It was established in September, 1952, under an endowment of approximately $6,000,000 provided in the will of a Birmingham industrialist, Harvey G. Woodward.

Exceptional Student Body

One of the factors that makes the school exceptional is its student body, according to its director, Dr. Louis E. Armstrong. He is a former professor of secondary education at Peabody College in Nashville, Tenn.

[fol. 1062] The average intelligence quotient of its 123 students is 140, he said. This is far above the national average. Enrollment is limited to about 120, and four of five applicants are rejected.

Although Indian Springs has an annual per pupil cost of about $3,000—one of the highest in the nation—less than half of the students pay the maximum, all-inclusive fee of $1,600. Some contribute as little as $100.

Dr. Armstrong pointed out that because of its substantial endowment the school selects students from all economic levels. It is nonsectarian and has Catholic, Jewish and Protestant boys. No Negroes are enrolled.

Ten states are represented at the school, but 80 per cent of the students come from the Birmingham area. The

director said he was trying to increase the number from other Southern states to make the school more "cosmopolitan."

Hard-Core Curriculum

Since it is a college preparatory school, Indian Springs provides the usual hard-core curriculum of four years of history, English mathematics and science. Most students also take four years of either French or Latin. Academic excellence is stressed, and the boy who does not measure up is not invited to return the next year.

Lectures are brief, and as much classroom time as possible is devoted to "writing and thinking" he explained. Learning by rote is discouraged.

Students add to their knowledge considerably through outside reading, he said. The average boy reads from thirty to forty books a year, ranging from Tolstoi and Faulkner to works on political science, history and mathematics.

Faculty members are encouraged to develop new teaching aids, to develop new methods. A mathematics instructor, Douglas Humphreys, was dissatisfied with available geometry textbooks. Now he is writing a new one on "space geometry," which will combine plane and solid geometry into one year's work.

Advanced science students deal with the intricacies of [fol. 1068] organic chemistry, a subject usually reserved for college.

In all of its activities, said Dr. Armstrong, Indian Springs attempts to maintain a partnership between the faculty and student body. "No limit is placed on the students' participation in the life of the school," he explained.

Education goes on after classes are over through participation in a "school-community government," which is open to all students through the machinery of a town meeting.

Considerable stress is placed on art and music. The Glee Club of seventy-five boys is directed by Dr. Lars Hoggard, who served as choral director for Fred Waring for seven years. It has been chosen to appear on April 3 in Roanoke, Va. for a second time before the Music Educators National Convention.

Dr. Armstrong said that the effectiveness of the new methods of instruction developed here will be checked by maintaining an achievement record on all students for twenty-five years after they leave the school.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 229

THE NEW YORK TIMES

TUESDAY, MARCH 8, 1960

FURTHER PROTESTS FORECAST

Special to The New York Times

MONTGOMERY, Ala., March 7—A Negro leader said today that further protest demonstrations would likely be staged here to dramatize dissatisfaction over segregation.

The statement was made in an interview by the Rev. Ralph D. Abernathy, president of the Montgomery Improvement Association. He led a group of some 800 Negroes who were frustrated by the police yesterday in an attempt to hold a prayer meeting at the state Capitol. The meeting was called to protect the expulsion of nine [fol. 1064] students from Alabama State College, an all-Negro institution.

Another Negro minister, the Rev. Robert E. DuBose, accused the city police of allowing a mob to prevent the demonstrators from meeting at the Capitol steps, site of the scheduled meeting.

"They let the mob in," he asserted.

Students at Alabama State scheduled a strike for today, but there was no clear-cut evidence of its effectiveness.

College officials said that 1,183 students had filled out pre-registration forms for the spring quarter. The normal enrollment is about 2,200. However, the deadline for registration has not passed.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 230

THE NEW YORK TIMES

FRIDAY, SEPTEMBER 13, 1957

BIRMINGHAM QUIET AS TENSION EASES

Special to The New York Times

BIRMINGHAM, Ala., Sept. 12—Tension over attempts to end school segregation eased today. No incidents of violence were reported.

Five Negro students were charged with rock throwing. Three white men reported the incident yesterday. One said he had been struck in the face by rocks thrown from a bus carrying Negro high school youths. Another said his vehicle had been hit.

The police held one youth for malicious mischief and disorderly conduct and turned over the others to juvenile authorities.

The Rev. F. L. Shuttlesworth, Negro minister and integration leader, said he was calling off efforts to enroll Negro students in white schools until officials had acted on petitions of Negro parents for integration. He was beaten by a group of white men Monday when he attempted to enroll four Negroes at all-white Phillips High.

School officials said yesterday the petitioning Negroes would be given aptitude tests before a decision was made [fol. 1065] on their applications. Alabama's Pupil Placement Act gives school officials broad authority in deciding where pupils must attend classes.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 231

THE NEW YORK TIMES TUESDAY, JULY 3, 1956

BOYCOTT ENDING 7th MONTH

Special to The New York Times

MONTGOMERY, Ala., July 2—The boycott of Montgomery's only bus line by this city's 50,000 Negroes will go into its eighth month on Thursday. The boycott has been 99 per cent effective.

During court hearings involving the boycott it was brought out that the local bus company, Montgomery City Lines, Inc., had handled from 30,000 to 40,000 Negro fares daily before the boycott began Dec. 5, 1955. Since then a company official testified, Negro fares have averaged 300 to 400 a day.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 232

THE NEW YORK TIMES SUNDAY, APRIL 10, 1960

ALABAMA FORMING RACE-RIOT POSSES

MOUNTED DEPUTIES INCLUDED IN VOLUNTEER LAW FORCES SET UP IN 4 COUNTIES

Special to The New York Times

MONTGOMERY, Ala., April 9—Special sheriff's posses have been organized in at least four Alabama counties as a result of recent racial disturbances.

Special mounted deputies were used for the first time in recent history here to help avert a riot of whites and Negroes on March 6.

[fol. 1066] Following the pattern of the Montgomery County special sheriff's mounted posse, two adjoining counties, Autauga and Dallas, along with near-by Shelby, have formed a volunteer corps of law-enforcement officers. The corps includes mounted deputies.

About a week after the March 6 disturbance in Montgomery the sheriff of Dallas County called for volunteers for a posse. The response was almost overwhelming. The county now has more than 500 men on its special deputy commission. Fifty-two are horsemen.

2d County Follows Suit

The following week, Autauga joined the special-deputy program, getting about 100 men for the emergency duty.

The three counties have coordinated their organization of the special groups and have agreed to assist each other when necessary. Dallas horsemen and dismounted deputies assisted in patrol duty after the critical March 6 incident. They were used mostly as precautionary police reserves when Negro students demonstrated at Alabama State College here.

At least one other county in southern Alabama is organizing such a posse.

The stated purpose of the special deputy forces is "to maintain law and order (and the) suppression of riots and unlawful assemblies," in the words of Sheriff Jim Clark of Dallas County. His posse was formed after reports that two Negroes identified with sitdown strikes and other anti-segregation moves in the South had visited the county.

One of the key deterrents to would-be rioters in the Montgomery incident was the mounted force, a sight not seen in this city since the beginning of the motorcycle policeman and police car.

The posse also was organized because of the necessity of maintaining control of special deputy groups.

This necessity was demonstrated on March 9 when an informal group of special deputies roughly handled three news men near the Negro college here.

[fol. 1067] Sheriff George Grant of Autauga County told the volunteers for deputy duty that "we don't want our laws violated. We don't intend to be run over but we've got to go about it the right way. You must not go out as a mob but as a group to keep down violence."

Sheriff Grant has said that unlawful conduct by even one participant in the volunteer group could injure the entire program. He promised that every applicant "would be carefully screened."

Riders, who with other special deputies are sworn in as officers and are given badges, must provide their own mounts. All special deputies must provide their own arms.

PLAINTIFF'S EXHIBIT No. 233

(Plaintiff's Exhibit No. 233 for identification withdrawn by counsel for the Plaintiff's.)

PLAINTIFF'S EXHIBIT No. 234

(Plaintiff's Exhibit No. 234 for identification withdrawn by counsel for the Plaintiff's.)

PLAINTIFF'S EXHIBIT No. 235

(Plaintiff's Exhibit No. 235 offered in evidence but disallowed and excluded by the Court.)

[fol. 1068]

PLAINTIFF'S EXHIBIT No. 236

(Plaintiff's Exhibit No. 236 offered in evidence but disallowed and excluded by the Court.)

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 237

THE NEW YORK TIMES JANUARY 11, 1957

OTHER BANKS

BIRMINGHAM, ALA.

Special to The New York Times

BIRMINGHAM, Ala., Jan. 10—The First National Bank of Birmingham has voted a stock dividend of one share for each nine shares held and transferred $1,000,000 from undivided profits to surplus, raising capital and surplus to $10,000,000.

The Birmingham Trust National Bank transferred $500,000 from undivided profits to surplus, giving total capital and surplus of $8,000,000.

The Exchange Bank, with assets in excess of $19,000,000 and the Security Commercial Bank with assets in excess of $12,000,000, plan to merge.

PLAINTIFF'S EXHIBIT No. 238

(Plaintiff's Exhibit No. 238 for identification, withdrawn by counsel for the Plaintiff.)

[fol. 1069]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 239

THE NEW YORK TIMES

THURSDAY, JANUARY 12, 1956

BIRMINGHAM

Special to The New York Times

BIRMINGHAM, Ala., Jan. 11—The First National Bank of Birmingham stockholders declared an extra dividend,

making a total of $1.20 a share after board chairman John C. Persons reported the greatest year in the bank's history. Earnings were $2.97 a share.

Birmingham Trust National Bank declared a 25 per cent stock dividend and raised its capital stock to $2,500,000.

MOBILE

Special to The New York Times

MOBILE, Ala., Jan. 11—Dwain G. Luce was elected to the board of directors of the American National Bank and Trust Company of Mobile. Mr. Luce, vice chairman of the bank, also is president of the Central Bank of Mobile and a director of the Bank of Lucedale, Miss.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 240

GRACE NAPKINS

Used at mealtime, helps teach youngsters the habit of mealtime grace, reminds older ones too, lest they forget.

Use at THANKSGIVING, CHRISTMAS, and all year round. Makes wonderful gifts.

Your favorite family blessings, such as—
Bless us, O Lord and these Thy gifts, which we are about to receive from Thy bounty, through Christ our Lord, Amen.

Suitable for all demonstrations.

[fol. 1070]

Paper Napkins are White, Linen Finish.
Size 12x12. Embossed in colors.

50 Napkins assorted, postpaid, only 59 cents. 2 packages, 100 napkins only $1.00 P. P.

Send check or money order. Satisfaction guaranteed.

Special offer to churches and groups for resale.

ASHLEE CRAFTS

Center Point Branch, Birmingham 6, Ala.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 241

TEXTILE CHEMISTS

Outstanding ground opportunities are available in young, rapidly expanding, synthetic fiber producing CHEMSTRAND CORPORATION.

Positions involve customer service and development work, requiring a minimum of eight years experience in dyeing and finishing of textile.

Send resume of education and experience to:

Technical Personnel Manager, Box R-12
THE CHEMSTRAND CORPORATION
Decatur, Alabama

[fol. 1071]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 242

THE NEW YORK TIMES FEBRUARY 12, 1956

MARKET RESEARCH

Large new synthetic fiber producing CHEMSTRAND CORPORATION, now undergoing its FOURTH major expansion in FOUR years, has requirement for man to initiate and develop a broad, corporation market research program.

Position entails analyses of existing and potential markets for company products including the forecasting of market factors.

Strong background in economics and a minimum of five years market research experience required.
Send resume of education and experience to:

Technical Personnel Manager, Box X-1
Decatur, Alabama

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 243

THE NEW YORK TIMES
TUESDAY, JANUARY 24, 1956

ALABAMA GAS CORPORATION

DIVIDEND NOTICE

The Directors of Alabama Gas Corporation at a meeting held on January 17, 1956, declared a quarterly dividend of 32 cents per share on the common stock and 87½ cents per share on the $3.50 Cumulative Prior Preferred Stock, payable March 1, 1956, to stockholders of record on February 15, 1956.

P. E. BEHR, Secretary

Birmingham, Alabama.

[fol. 1072]
IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 244

THE NEW YORK TIMES
FEBRUARY 27, 1956

TEXTILE CHEMISTS

Outstanding ground floor opportunity is available in young, rapidly expanding, dynthetic fiber producing CHEMSTRAND CORPORATION.

Positions involve customer service and development work, requiring a minimum of eight years experience in dyeing and finishing of textile.

Send resume of education and experience to:

Technical Personnel Manager, Box R-13
THE CHEMSTRAND CORPORATION
Decatur, Alabama

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 245

THE NEW YORK TIMES

FEBRUARY 26, 1956

SAVE WATER! STOP TOILET NOISE!

Does the water continue to run?
Is the float dropping against the rubber ball? Is the buoyancy of the float too weak to cut off?

BUY A P GUIDE

A P Guide holds the float above the rubber stopper, thus the stopper drops freely into the discharge seat.

A booster spring gives more lifting power to the first floatrod, thus better closing the intake water supply.

A P Guide fits in any tank, easy to install without tools.

Apartments, Motels & Homes will save water and minimize noise. Free with order, "All About a Toilet Tank" lesson.

A. P. FURN. CO. 2211 2nd AVE., N.
BIRMINGHAM 3, ALA.

[fol. 1073]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 246

THE NEW YORK TIMES
SUNDAY, DECEMBER 2, 1956

A FAMOUS DELICACY FROM DIXIE....

Gordon Smith's FRUIT CAKES

It was about 50 years ago that I started making these famous white Fruit Cakes from a recipe handed down through generations in the Old South. Today, my cakes are famous far and wide as a "delicacy from Dixie". You'll understand why when you taste the distinctive flavor and rich quality of these cakes. Place your order today.

Freshly Sealed in Metal Containers

5 lb. white fruit cake $8.00
3 lb. white fruit cake $5.20

Postage Prepaid Order From

GORDON SMITH
Mobile, Alabama

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 247

THE NEW YORK TIMES
SUNDAY, MARCH 4, 1956

TEXTILE CHEMISTS

Outstanding ground floor opportunities are available in young, rapidly expanding, synthetic fiber producing CHEMSTRAND CORPORATION.

Positions involve customer service and development work, requiring a minimum of eight years experience in dyeing and finishing of textile.

Send resume of education and experience to:

THE CHEMSTRAND CORPORATION
Decatur, Alabama

[fol. 1074]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 248

THE NEW YORK TIMES

FRIDAY, MARCH 2, 1956

TEXTILE CHEMISTS

Outstanding ground floor opportunities are available in young, rapidly expanding, synthetic fiber producing CHEMSTRAND CORPORATION.

Positions involve custer service and development work, requiring a minimum of eight years experience in dyeing and finishing of textile.

Send resume of education and experience to:

Technical Personnel Manager, Box R-13
THE CHEMSTRAND CORPORATION
Decatur, Alabama

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 249

THE NEW YORK TIMES

TUESDAY, MARCH 19, 1957

JOB ANALYST

The rapidly expanding synthetic fiber producing Chemstrand Corporation is seeking man under 30 for its Decatur,

Alabama, plant. Must have experience in job evaluation, job studies and surveys. Position will also include interviewing and testing, plus a wide variety of general personnel work. College degree required, preferably in business administration or industrial engineering.

Send resume of education and experience to technical personnel manager Box P-3.

THE CHEMSTRAND CORPORATION
Decatur, Alabama

[fol. 1075]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 250

THE NEW YORK TIMES

MARCH 17, 1957

JOB ANALYST

The rapidly expanding synthetic fiber producing Chemstrand Corporation is seeking man under 30 for its Decatur, Alabama, plant. Must have experience in job evaluations, job studies and surveys. Position will also include interviewing and testing, plus a wide variety of general personnel work. College degree required, preferably in business administration or industrial engineering.

Send resume of education and experience to:

Technical Personnel Manager, Box P-3
THE CHEMSTRAND CORPORATION
Decatur, Alabama

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 251

THE NEW YORK TIMES

MONDAY, MARCH 11, 1957

BIRMINGHAM'S LIBRARY SYSTEM HAS PLAYED A MAJOR ROLE IN CITY'S MATERIAL AND CULTURAL PROGRESS.

Few Public libraries have contributed more to community progress than Birmingham's outstanding library system. Its annual book circulation of over 2,000,000 is exceeded only by some thirty cities in the nation.

Less than fifty years old, it has grown from a small book collection to a flourishing city-wide system. Thirteen branch community libraries—three built within the past two years—and four bookmobiles serve neighborhood centers and outlying areas.

Housed in this city-wide group of libraries is a constantly growing collection of 460,000 volumes. An extensive technical and scientific collection is a valuable aid to industry and business. Material available through designation of the library as depository for U. S. Government [fol. 1076] and Atomic Energy Commission documents is also useful source of information for many Birmingham enterprises and citizens. A fine arts and music collection and Department of Southern History are widely used by cultural groups and students. The auditorium in the Central Library and 10 air-conditioned assembly rooms in branches are meeting places of the city's 360 library, literary and civic clubs.

* * * * * * * *

The Birmingham Committee of 100 invites you to come and see the many advantages of Birmingham as a place for the employees of your plant, warehouse, sales office or service facility to live and rear a family in the geographic and transportation of the South.

BIRMINGHAM COMMITTEE OF 100
1914 Sixth Ave., No., Birmingham, Ala.

EXECUTIVE COMMITTEE

James E. Folsom—Governor of Alabama
John S. Coleman—President, Birmingham Trust National Bank
Donald Comer—Chairman Exec.-Comm., Avondale Mills
R. Hugh Daniel,—President, Daniel Construction Co.
William P. Engel—President Engel Companies
Joseph N. Greene—Chairman of the Board, Alabama Gas Corp.
John A. Head—President The First National Bank of Birmingham
Clarence B. Hanson, Jr.—Publisher, The Birmingham News
Emil C. Haas—Sec.-Treas., Parisian, Inc.
Lewis F. Jeffers—President Hayes Aircraft Corp.
Thomas W. Martin—Chairman of the Board Alabama Power Co.
S. D. Morley—President American Cast Iron Pipe Co.
P. H. Neal—President Alabama By-Products Corp.
Fred Osborne—Vice-Pres., U. S. Pipe & Foundry Co.
Isadore Pizitz—President, Pizitz Dr. Goods Co.
O. W. Schanbacher—President Loveman's
J. F. Shackelford—President Wimberly & Thomas Hdw. Co.
Alfred KM. Shook, III—Vice President Shook & Fletcher Supply Co.
Sidney W. Smyer—President Birmingham Realty Co.
[fol. 1077] William M. Spencer, III—President-Treasurer Owen Richards Co., Inc.
Mervyn H. Sterne—Sterne, Agee & Leach
John E. Upchurch—President Woodward Iron Co.
A. V. Wiebel—President Tenn. Coal & Iron Civ. United States Steel Corp.

BIRMINGHAM—CROSSROADS OF THE SOUTHEAST

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 252

THE NEW YORK TIMES

MONDAY, FEBRUARY 11, 1957

BIRMINGHAM PLANTS CONTINUE TO EXPAND

Burgeoning industry in the Southeast makes sound enterprises grow in Birmingham—the geographic and transportation center of this rapidly developing region. Leading the nation in per cent increase of income, the Southeast is an ever expanding market. Typical of dozens of recent expansions are:

HAYES AIRCRAFT CORPORATION began operations mid-1951, has become Alabama's second largest industry—8,800 employees, yearly payroll over $35 million. Last year it added 2,000 employees. Its engineering staff is one of the most highly specialized in the nation.

SOUTHERN ELECTRIC STEEL CO. incorporated in 1955 and beginning operations early in 1956 is now more than doubling capacity of its integrated steel plant, which makes electric furnace steel and operates a rolling mill for the production of merchant bars and concrete reinforcing bars.

ALABAMA OXYGEN COMPANY now adding a new facility that will double the plant's capacity for the production of high purity oxygen and nitrogen for industrial and medical uses.

GOSLIN-BIRMINGHAM MFG. CO. producer of heavy castings and metal fabricators for chemical processing plants, is keeping pace with the South's rising chemical industry by doubling the floor space of its plate shop and making other extensive enlargements in its foundry and [fol. 1078] machine shop.

SOUTHERN PRECISION PATTERN WORKS now erecting a new plant which will be the largest complete pattern shop in the Southeast, making production patterns of metals of various kind. Serves the foundry industry of the entire nation.

A. J. GERRARD & COMPANY which has successfully warehoused and distributed cotton bank splicing seals, steel strapping and accessories from Birmingham, constructed a modern plant to manufacture these products and better serve its fast growing markets in the Southeast.

BIRMINGHAM—CROSSROADS OF THE SOUTHEAST

If your Company is interested in serving the Southeast with a plant, warehouse, sales office or service facility, you will find the central Birmingham District your best location. Confidential surveys will be made for by this Committee on request.

BIRMINGHAM—COMMITTEE OF 100
1914 Sixth Ave., No., Birmingham, Ala.

EXECUTIVE COMMITTEE

Jas. E. Folsom—Governor of Alabama
John S. Coleman—President, Birmingham Trust National Bank
Donald Comer—Chairman Exec.-Comm., Avondale Mills
R. Hugh Daniel—President, Daniel Construction Co.
William P. Engel—President Engel Companies
Joseph N. Greene—Chairman of the Board, Alabama Gas Company
John A. Head—President The First National Bank of Birmingham
Clarence B. Hanson, Jr.—Publisher, The Birmingham News
Emil C. Haas—Sec.-Treas., Parisians, Inc.
Lewis F. Jeffers—President Hayes Aircraft Corp.
Thomas W. Martin—Char. of the Board Alabama Power Co.
S. D. Norley—President American Cast Iron Pipe Co.
P. H. Neal—President Alabama By-Products Corp.
Fred Osborne—Vice.-Pres. U.S. Pipe & Foundry Co.
Isadore Pizitz—President, Pizitz Dry Goods Co.
[fol. 1079] O. W. Schanbacher—President Loveman's
J. F. Shackelford—President Wimberly & Thomas Hdw. Co.
Alfred M. Shook, III—Vice President Shook & Fletcher Supply Co.

Sidney F. Smyer—President Birmingham Realty Co.
William M. Spencer, III—President-Treasurer Owen Richards Co., Inc.
Mervyn H. Sterne—Sterne, Agee & Lynch
John E. Upchurch—President Woodward Iron Co.
A. V. Wiebel—President Tenn. Coal & Iron Div. United States Steel Corp.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 253

THE NEW YORK TIMES
MONDAY, JANUARY 28, 1957

ALABAMA GAS CORPORATION

Dividend Notice

The Directors of Alabama Gas Corporation at a meeting held January 22, 1957, declared a quarterly dividend of 40 cents per share on the common stock and 87½ cents per share on the $3.50 Cumulative Prior Preferred Stock, payable March 1, 1957, to stockholders of record on February 15, 1957

P. E. BEHR Secretary

Birmingham, Ala.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 254

THE NEW YORK TIMES
MONDAY, JANUARY 14, 1957

ANALYTICAL & TEXTILE CHEMISTS

CHEMSTRAND, one of the nation's major producers of synthetic fibers, has permanent positions at its Acrilan manufacturing plant at Decatur, Alabama, for Analytical and Textile Chemists. Salary commensurate with experience. Send resume to: Technical Personnel Manager, Box AT-1

THE CHEMSTRAND CORP. Decatur, Alabama

[fol. 1080]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 255

THE NEW YORK TIMES
MONDAY, JANUARY 21, 1957

ANALYTICAL & TEXTILE CHEMISTS

CHEMSTRAND, one of the nation's major producers of synthetic fibers, has permanent positions at its Acrilan manufacturing plant at Decatur, Alabama, for Analytical and Textile Chemists. Salary commensurate with experience. Send resume to:

Technical Personnel Manager
Box AT-1
THE CHEMSTRAND CORPORATION
Decatur, Alabama

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 256

THE NEW YORK TIMES
MONDAY, JANUARY 14, 1957

SOUTHERN RESEARCH INSTITUTE PROVIDES HIGHLY SKILLED TECHNICAL AID FOR INDUSTRY

American industry's greatest need today is for more skilled and well trained scientists. At Birmingham's fast growing Southern Research Institute—a non-profit research organization—201 scientists and supporting staff members are helping industry create and improve products and processes and solve technical problems in many varied fields.

Among its staff are outstanding specialists in organic and inorganic chemistry; physics; electronics; mechanical, electrical and chemical engineering; metallurgy; textile, food and wood technology; paints, plastics and many other categories.

Southern Research Institute was founded in 1944 by progressive Southern business leaders, headed by Thomas W. Martin, Chairman of the Board of Alabama Power Com- [fol. 1081] pany and chairman of the institute since its organization. So successful has been its service that it has expanded in the short span of 13 years from a converted carriage house into a plant that occupies a square city block. During 1956, it served 96 industry sponsors in 21 states, 13 agencies of the Federal government and several philanthropic foundations. To handle its steadily increasing volume of business, it added last year 40 more scientists to its regular staff and began construction of its fifth large, permanent laboratory. Even so additional laboratory space will be needed in 1957.

BIRMINGHAM—CROSSROADS OF THE SOUTHEAST

When you place your plant in the Birmingham District, you will have at your doorstep the broad facilities of this great Research Institute. Even though you do not have a plant in this area, its facilities are available to you. For further information, we invite you to write this Committee or any of its undersigned members.

BIRMINGHAM COMMITTEE OF 100
1914 Sixth Ave., N., Birmingham, Ala.

James E. Folsom—Governor of Alabama
John S. Coleman—President, Birmingham Trust National Bank
Donald Comer—Chairman Exec.-Comm., Avondale Mills
R. Hugh Daniel—President, Daniel Construction Co.
William P. Engel—President Engel Companies
Joseph N. Greene—Chairman of the Board, Alabama Gas Company
John A. Head—President The First National Bank of Birmingham
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S. D. Norley—President American Cast Iron Pipe Co.
P. H. Neal—President Alabama By-Products Corp.
Fred Osborne—Vice-Pres. U.S. Pipe & Foundry Co.
Isadore Pizitz—President, Pizitz Dry Goods Co.
[fol. 1082] O. W. Schanbacher—President Loveman's
J. F. Shackelford—President Wimberly & Thomas Hdw. Co.
Alfred M. Shook, III—Vice President Shook & Fletcher Supply Co.
Sidney W. Smyer—President Birmingham Realty Co.
William M. Spencer, III—President-Treasurer Owen Richards Co., Inc.
Mervyn H. Sterne—Sterne, Agee & Lynch
John E. Upchurch—President Woodward Iron Co.
A. V. Wiebel—Pres. Tenn. Coal & Iron Div., United States Steel Corp.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 257

THE NEW YORK TIMES
SUNDAY, JANUARY 13, 1957

SEE BELLINGRATH GARDENS
Near Mobile, Alabama
A Semi-Tropical Wonderland of
COUNTLESS AZALEAS, GIANT CAMELLIAS,
SUNNY VISTAS, MOSSY OAKS
plus
The Celebrated Bellingrath Home
Write for Free color folder
Drpt. YT-57 Theodore, Alabama

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 258

THE NEW YORK TIMES

SUNDAY, JANUARY 13, 1957

ENGINEERS CHEMISTS

THE CHEMSTRAND CORPORATION offers unusual career opportunities for engineers and chemicals interested in affiliating with this seven-year-old synthetic fiber producing company, now expanding for the fifth time in five operating years. THINK OF IT! Five expansions in five [fol. 1083] years. PHENOMENAL, Isn't it?

And it's just the beginning: An increase of 1,100% is predicted in the production of synthetic fibers by 1975.

If you want to be a part and grow with this new industry then look to CHEMSTRAND, the company whose products, Nylon and Acrilan, are already a by-word in the industry.

Positions for chemical, mechanical, textile, civil, industrial and instrument engineers: and textile and analytical chemists are available at Chemstrand's NYLON plant, Pensacola, Fla., and ACRILAN plant, Decatur, Ala.

Send resume of education and experience to:

TECHNICAL PERSONNEL MGR., BOX Q-1
THE CHEMSTRAND CORPORATION
Decatur, Alabama

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 259

THE NEW YORK TIMES

JANUARY 13, 1957

ANALYTICAL & TEXTILE CHEMISTS

CHEMSTRAND: One of the nation's major producers of synthetic fibers, has permanent positions at its Acrilan

Manufacturing Plant at Decatur, Alabama, for Analytical and Textile Chemists. Safety features. Salary commensurate with experience.

Send resume to:

Technical Personnel Manager,
Box AT-1
THE CHEMSTRAND CORPORATION
Decatur, Alabama

[fol. 1084]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 260

THE NEW YORK TIMES

SUNDAY, JANUARY 6, 1957

ENGINEERS CHEMISTS

THE CHEMSTRAND CORPORATION offers unusual career opportunities for Engineers and Chemists interested in affiliating with this seven-year-old synthetic fiber producing company, now expanding for the fifth time in five operating years. THINK OF IT! Five expansions in five years. PHENOMENAL, isn't it?

And it's just the beginning: An increase of 1,100% is predicted in the production of synthetic fibers by 1975.

If you want to be a part and grow with this new industry then look to CHEMSTRAND, the company whose products Nylon and Acrilan, are already a by-word in the industry.

Positions for chemical, mechanical, textile, civil, industrial, and instrument engineers; and textile and analytical chemists are available at Chemstrand's NYLON plant, Pensacola, Fla., and ACRILAN plant, Decatur, Ala.

Send resume of education and experience to:

Technical Personnel Manager, Box G-1
THE CHEMSTRAND CORPORATION
Decatur, Alabama

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 261

THE NEW YORK TIMES

SUNDAY, JANUARY 6, 1957

ANALYTICAL & TEXTILE CHEMISTS

CHEMSTRAND, one of the nation's major producers of synthetic fibers, has permanent positions at its Acrilan manufacturing plant at Decatur, Alabama, for Analytical and Textile Chemists. Salary commensurate with experience. Send resume to: Technical Personnel Manager, Box AT-1

THE CHEMSTRAND COMPANY
Decatur, Ala.

[fol. 1085]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 262

THE NEW YORK TIMES NOVEMBER 29, 1959

A FAMOUS DELICACY FROM DIXIE
GORDON SMITH'S FRUIT CAKES

It was about 50 years ago that I started making these delicious White Fruit Cakes. Today, these cakes are famous as a "delicacy from Dixie" . . . distinctive in flavor and rich in quality. Place your order today.

Freshly sealed in Metal Containers

ORDER FROM
GORDON SMITH
Mobile, Alabama

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 263

THE NEW YORK TIMES NOVEMBER 16, 1958

A FAMOUS DELICACY FROM DIXIE
GORDON SMITH'S WHITE FRUIT CAKES

It was about 50 years ago that I started making these delicious White Fruit Cakes. Today, these cakes are famous as a "delicacy from Dixie." distinctive in flavor and rich in quality. Place your order today.

Freshly sealed in Metal Containers

3 lb. white fruit cake $5.20
5 lb. white fruit cake $8.00

ORDER FROM
Gordon Smith
Mobile, Alabama

[fol. 1086]
IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 264

THE NEW YORK TIMES JANUARY 6, 1958

BIRMINGHAM INVITES YOU TO ITS SEVENTH ANNUAL FESTIVAL OF ARTS
January 24 February 15

FEATURING THE MANY VARIED CONTRIBUTIONS OF ITALY TO THE ARTS THRU THE CENTURIES.

Birmingham's FESTIVAL OF ARTS—a cooperative venture of this community's many cultural groups—will feature one of the most important exhibitions of Italian arts and crafts presented in the nation during recent years. Opening January 24 with a Venetian Beaux Arts Ball, the crowded 22-day calendar of 75 events will close February 15 with a Symphony of Italian Fashions.

HIGHLIGHTS OF THE FESTIVAL INCLUDE:

MUSIC—Two concerts by Birmingham Symphony Orchestra; concert presented by Birmingham Music Club, with visiting artist; Third Army band and Chorus; concert by Birmingham Civic Opera Assn.; St. Paul's Co-Cathedral concert by St. Bernard's Choir, and other musical events.

ART—Exhibits at the Birmingham Museum of Art of Italian paintings, including the Kress Renissance collection; 17th and 18th century paintings and contemporary Italian art.

THE DANCE—Special programs by Birmingham Civic Ballet Company and Concert Theater Dance Company.

THEATER—Two Broadway productions and local productions by University of Alabama's famous Town and Gown Civic Theater, Howard College and Birmingham-Southern College.

FASHIONS—Musical Fashion Show at Birmingham's Municipal Auditorium with special Italian fashions and noted designers; a noted Italian singer as guest star.

BOOKS—Exhibits at Birmingham Public Library of rare Italian books, handicrafts, maps, photographs and children's art and crafts.

[fol. 1087] OTHER EVENTS INCLUDE ANNUAL PILGRIMAGE TO SEE ANTIQUES IN BIRMINGHAM HOMES, FLOWER DISPLAYS BY GARDEN CLUBS, SPECIAL PROGRAMS AT CHURCHES, LECTURES, RECEITIONS, TEAS, ETC., ALL OF WHICH ARE FREE AND OPEN TO THE PUBLIC

For Program and other Information write:

BIRMINGHAM FESTIVAL OF ARTS
CITY HALL BIRMINGHAM, ALA.

These events suggest the wide variety of cultural activities available to those who take advantage of Birmingham's admirable location as the manufacturing, distributing and transportation center of the South.

BIRMINGHAM CROSSROADS OF THE SOUTHEAST

BIRMINGHAM COMMITTEE OF 100
1914 Sixth Ave., N., Birmingham, Ala.

EXECUTIVE COMMITTEE

James E. Folsom—Governor of Alabama
John S. Coleman—President, Birmingham Trust National Bank
Donald Comer—Chairman Exec.-Committee, Avondale Mills
R. Hugh Daniel—President Engel Companies
William P. Engel—President Engel Companies
Joseph N. Greene—Chairman of the Board, Alabama Gas Company
John A. Hee-l—President The First National Bank of Birmingham
Clarence B. Hanson, Jr.—Publisher, The Birmingham News
Emil C. Haas—Sec.-Treas., Parisians, Inc.
Lewis F. Jeffers—President Hayes Aircraft Corp.
Thomas W. Martin—Chair. of the Board Alabama Power Co.
S. D. Norley—President American Cast Iron Pipe Co.
P. H. Neal—President Alabama By-Products Corp.
Fred Osobrne—Vice-Pres. U.S. Pipe Foundry Co.
Isadore Pizitz—President, Pizitz Dry Goods Co.
[fol. 1088] O. W. Schanbacher—President Loveman's
J. F. Shackelford—President Wimberly & Thomas Hdw. Co.
Alfred M. Shook, III—Vice Pres. Shook & Fletcher Supply Co.
Sudney W. Smyer—Pres. Birmingham Realty Co.
William M. Spencer, III—Pres.-Treas. Owen Richards Co., Inc.
Mervyn H. Sterne—Sterne, Agee & Lynch
John E. Upchurch—Pres. Woodward Iron Co.
A. V. Wiebel—Pres. Tenn. Coal & Iron Div., United States Steel Corp.

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 265

THE NEW YORK TIMES

TUESDAY, APRIL 12, 1

40 ACRES FOR SALE
DECATUR, ALABAMA
COMMERCIAL, INDUSTRIAL LAND
All Utilities Included
Proposals Now Being Accepted

FOR INFORMATION CALL OR WRITE

Charles H. Parker, Executive Director
Housing Authority of the City of Decatur, Alabama
Phone Elgin 3-4691 P. O. Box 174

F 450

The New York Times

ADVERTISING DEPARTMENT
EXPENSE STATEMENT

Name Frank M. Monger
(Full Name)

Department National Advertising

Week Ending January 8 160

EXPENSES SHOULD BE ITEMIZED EACH DAY—READ INSTRUCTIONS ON REVERSE SIDE

Dates	Assignment (List Each City)	Limo, Bus Carfare	Telephone	Cab, Motor Taxi	Hotel	Meals	Tips	Railroad	Pullman Sleeper	Miscellaneous Item	Miscellaneous Amount
1/4	Birmingham, Ala.	1.35	2.10	14.60	7.73	5.75	2.10				
1/5	Chattanooga, Tenn.	2.60	1.00	13.92		6.85	2.50			Garage	.50
	Totals	3.95	3.10	28.52	7.73	12.60	4.60				.50

AMOUNT 11.00
VOUCHER No.
4/19/60

Department Manager	Total of Expenses	$ 61.00
Advertising Director	Amount Advanced	50.00
Audited	Balance due F. Monger	11.00

2Y

1084

Acct. Item Amt.
01-108...
03-108...
04-108...
07-108...
(over)

[fol. 1089]

PLAINTIFF'S EXHIBIT No. 266

1683

F 450

The New York Times

ADVERTISING DEPARTMENT
EXPENSE STATEMENT

Name Frank [illegible] (Full Name)

Department National Advertising Week Ending Dec. 4 1959

EXPENSES SHOULD BE ITEMIZED EACH DAY—READ INSTRUCTIONS ON REVERSE SIDE

Dates	Assignment (List Each City)	Limo Bus Expense	Telephone	Automobile Taxi	Hotel	Meals	Tips	Railroad	Pullman Sleeper	Miscellaneous Item	Miscellaneous Amount
12/	Miami, Fla.	1.35	1.60	2.00	9.27	6.00	2.00				
12/	Miami, Fla.	1.35	1.00	1.00		1.25	1.00			"A"	4.50
	[illegible]										
	Totals	2.70	[illegible]	3.00	9.27	7.25	3.00				4.50

Department Manager	Total of Expenses	32.32	
Advertising Director	Amount Advanced		
Audited	Balance Due		

1090

Auto	Travel	Ent.
Charge 4-5-		
01-211.....	01-201.....	01-108...
03-211.....	03-201.....	03-108...
04-211.....	04-201.....	04-108...
07-211.....	07-201.....	07-108...

(over)

1684
[fol. 1090]

PLAINTIFF'S EXHIBIT No. 267

F 450

The New York Times

ADVERTISING DEPARTMENT
EXPENSE STATEMENT

Name Thomas H. Hurley
(Full Name)

Department National Advertising Week Ending Oct. 31 1959

EXPENSES SHOULD BE ITEMIZED EACH DAY—READ INSTRUCTIONS ON REVERSE SIDE

Dates	Assignment (List Each City)	Bus Carfare	Telephone	Automobile Taxi	Hotel	Meals	Tips	Railroad	Pullman Sleeper	Miscellaneous Item	Miscellaneous Amount
26	Atlanta to Montgomery		20		6 50	5 50	1 75			Entertainment	5 75
27	Montgomery		2 53		6 50	8 15	1 20			Valet	75
28	Montgomery		2 31		6 50	7 80	1 50				
29	Montgomery & Selma		40		6 50	7 90	1 20				
30	Montgomery to Atlanta		97			8 20	2 70				
	Automobile -- 574 miles @ .11 (statement attached)										63 14
	October 26 Lunch -- Mr. Roy S. Parente State of Alabama Director of Publicity & Information										
	Totals		6 41		26 00	37 50	9 25				69 64

Department Manager [illegible]

Advertising Director

Audited

Total of Expenses 148 95

Balance Due

1091

[fol. 1091] PLAINTIFF'S EXHIBIT No. 268

1685

The New York Times

ADVERTISING DEPARTMENT
EXPENSE STATEMENT

Name _____ (Full Name)

Department _____ Week Ending _____ 19__

EXPENSES SHOULD BE ITEMIZED EACH DAY—READ INSTRUCTIONS ON REVERSE SIDE

Dates	Assignment (List Each City)	Meal Expenses	Telephone	Garage Automobile Taxi	Hotel	Meals	Tips	Railroad	Pullman Sleeper	Miscellaneous Item	Miscellaneous Amount
8/17	[illegible]	[illegible]									
8/18	[illegible]										
8/19	[illegible]										
8/20	[illegible]										

[fol. 1093]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 270

(Letter, The New York Times, to Mayor Earl D. James, Montgomery, Alabama, signed Edward T. Kennedy, dated January 22, 1960, offered in evidence but disallowed and excluded by the Court and offered for a showing and identified as Plaintiff's Exhibit No. 270.)

THE NEW YORK TIMES
TIMES SQUARE NEW YORK 31, N. Y.
LAckawanna 4-1000

January 22, 1960

Mayor Earl D. James
Municipality
City of Montgomery
Montgomery, Ala.

Dear James:

We are pleased to send you the requested copy of the book, "Area Development Promotion for Progress and Prosperity," and we trust you will find it both interesting and useful.

This material has been kept brief to save your time, yet made complete enough to supply the information we believe you will want and need.

Since each city, county, state and region that wishes to stimulate industrial growth probably faces individual problems as well as possibilities, this book may leave some questions still unanswered. In that case we can be of further service to you.

Please call on us for any additional information you may require, or any other assistance we can give. There's no obligation.

Sincerely,

/s/ EDWARD T. KENNEDY
Manager
Area Development Advertising

Edward T. Kennedy:b

[fol. 1094]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 271

THE NEW YORK TIMES
TIMES SQUARE, NEW YORK 36 LA 4-1000

FIRST IN ADVERTISING IN THE WORLD'S FIRST MARKET

July 14, 1960

Hon. Earle D. James, Mayor
City of Montgomery
Alabama

Dear Mayor James:

Some time ago you wrote for information about attracting industry to your city, county, state or region. We were pleased to send you a copy of the book, "Area Development Promotion for Progress and Prosperity."

This book probably confirmed your own thinking that (1) industrial growth is a rich asset to the whole community, (2) good locations are always in demand by manufacturers and (3) area development is perfectly feasible for a community that has some advantages to offer.

The book also showed numerous examples of current advertising in The New York Times—the nation's largest area development medium. Those and similar advertisers used more than 1,200 columns of space in The Times last year.

In your organization, either individually or as part of a group, is considering a program to stimulate industrial growth for your area, perhaps we can be of further service.

Exactly who are your best prospects for new industry? Where can they be found? How can they be reached effectively and economically? These and other questions are answered in a brand new guide to successful area develop-

ment promotion which you will find both interesting and informative.

We would very much appreciate an opportunity for our representative to call on you at your convenience to present this material, to discuss the specific possibilities of [fol. 1095] your area and to supply any further information you may require.

We shall look forward to hearing from you soon.

Sincerely,

/s/ Edward T. Kennedy
Manager
Area Development Advertising

Edward T. Kennedy:b

Plaintiff's Exhibit No. 272

Note: Plaintiff's Exhibit No. 272, being a Book Brochure entitled: "Area Development Promotion for Progress and Prosperity, The New York Times," offered and received in evidence for a showing only, is uncopiable and will be attached to this record as a part thereof and certified to by the Clerk of the Circuit Court.

/s/ Walter E. Graham
Walter E. Graham,
Court Reporter.

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 273

ALABAMA STATE DOCKS AT THE PORT OF MOBILE . . .

A 30-YEAR OLD GIANT THAT KEEPS GROWING!

THE PORT OF MOBILE—Shipping Success Story!

"No seaport in the country in the past thirty years has developed so fast, so far and so successfully . . . ." according to Knox McRae, director of Alabama State Docks.

"And we are still moving ahead. Right know there are three more general cargo berths that will increase berths from twenty-four to twenty-seven. The bulk handling [fol. 1096] facilities at the Docks' ore tipple will be expanded by 30 per cent. Mobile is still moving ahead."

Mobile is an old historic port. Twenty-seven years after Columbus' discovery of America, the Spanish Captain Alvarez de Pineda dropped anchor at the present port of Mobile. Mobile Bay offered excellent shelter to these seafarers to explore the Gulf Coast. It was in 1519 that Pineda charted the coastal waters around Mobile.

In 1702 Pierre Le Moyne, Sieur d'Iberville, claimed this area of the Gulf Coast for the French and named the capital city—Mobile.

During the reign of King Cotton, Mobile was a colorful and prosperous port. River packet boats and sternwheelers hauled the bales of cotton down the rivers where ocean-going vessels carried the fiber to the looms on the Continent.

But it was just in the last 20 years that Mobile became one of the top ten ports for the United States due mainly to the construction by the State of Alabama of a brand-new ocean terminal at the State's seaport of Mobile.

To create this ocean terminal, General William L. Sivert, a native Alabamian and one of the builders of the Panama Canal, came out of retirement to engineer and build the Alabama State Docks at the Port of Mobile.

With this initial construction, and the continued expansion of the Alabama State Docks, the Port of Mobile has become, in this short period of three decades a model port serving the import-export needs of world traders.

FACILITIES OF THE ALABAMA STATE DOCKS

Heavy Lift Equipment
Public Grain Elevator
Terminal Switching Railway
Shipside Cold Storage Plant
Cotton Compress and Warehouse
Fifty Acres of Fireproof Shipside Transit Sheds
Ore Terminal and Bulk-Material Facilities.

[fol. 1097]

(Photographs and Map Attached to Original.)

ENJOY AN ALABAMA VACATION WHILE SEEING ALABAMA'S INDUSTRIAL DEVELOPMENT

From the Gulf of Mexico to the Tennessee River Valley, Alabama is a great Vacation Land. Tourists and vacationers like Alabama's uncommercialized attractions. So combine pleasure with business—plan to stay a week or two and enjoy a relaxing, exhilarating vacation when you come to investigate the advantages of establishing your business here.

Alabama's vacation attractions include:

Fish in the Gulf, for salt-water king mackerel, tarpon, ling, cavalla.

Surf swimming, boating, and silver sands of Gulf beaches.

Exotic flowers, Azaleas, camellias everywhere. Visit Bellingrath Gardens, Mobile.

Fresh water fishing in lakes and rivers, for bass, bream, crappie.

Confederate "White House," Montgomery.

Great Vulcan Statue atop Birmingham's Red Mountain.

[fol. 1098] Indian mounds and relics, Moundville.

Ante-bellum homes, open to visitors.

Ave Maria Grotto, Cullman, world famous minature of Holy Land, Rome and famous shrines.

Little River Canyon, Fort Payne, deep 25-mile gorge.

Cathederal Caverns, Guntersville.

The Dismals, prehistoric gardens, Russellville.

TBA dams, great lakes, blue mountain scenic drives in North Alabama.

Mount Cheaha, Talladega, and 8 other State Parks.

Natural Bridge, near Halyville.

James E. Folsom, Governor

FREE DETAILS: For additional information address letter or postcard to Geoggrey Birt, Director Publicity Bureau, State Capitol, Montgomery, Ala.

(Several Photographs Attached to Original.)

[fol. 1099]

ALABAMA EMPLOYMENT AND LABOR SUPPLY

(TWO MAPS ATTACHED TO ORIGINAL.)

[fol. 1100] Non-Agricultural employment in Alabama totaled 740,000 in August, 1957, a 76% gain over the pre-World War II figure. In 1940 manufacturing firms employed an average of 145,800 persons. At present the figure is about 248,000, reflecting a diversified industrial expansion. While most manufacturing industries have shown some increase over the years, the food, apparel, paper and allied products, fabricated metal, and machinery groups stand out particularly in the gains made since World War II. Contrary to the general trend, the textile and lumber industries have declined in employment during the past several years. Even so, employment in both groups has exceeded the levels prior to World War II.

Metal Industry

The primary metals industry has become Alabama's leading industry as gauged by employment and payrolls. The textile industry long the State's largest industrial employer, has fallen to second place with respect to number of workers, as well as payroll. Lumber and wood products firms have remained in third place in size of work force but have recently been exceeded in volume of wages paid by the transportation equipment industry. Other leading industries in rank order of employment are: (4) apparel; (5) transportation equipment; (6) food; (7) fabricated metals; (8) chemical and allied products; (9) paper and allied products; and (10) machinery.

Income from agriculture declined from over fourteen per cent to the total personal income prior to and following World War II to under seven per cent in 1956.

Alabama has an ample supply of labor, both male and female. More than 37,000 persons have applications for work on file with State Employment Service offices of the Alabama Department of Industrial Relations. Of these, 11% are skilled workers; 24% semi-skilled; and 22% are classified as unskilled. The remainder are in the pro-

fessional, clerical, sales and service occupational classifications. In addition to these actively seeking work through the Employment Service, a large number of persons would be available for work if job opportunities existed. This group includes women willing to enter the labor force, [fol. 1101] and many men now engaged in agricultural activities and in part-time work.

Native Ability

While a good part of the labor supply is unskilled, past experience and aptitude testing by the State Employment Service has shown it to have a high degree of native ability and trainability for diverse occupations. It has been found that the majority of the workers can be easily trained to fill most semi-skilled jobs, with a great number being adaptable to skilled training. Only highly skilled and technical workers are in short supply, as they are in most parts of the Nation.

Wage rates vary considerably over the State, depending upon the type of industry. Wage scales on a broad occupational basis range as follows:

Skilled—$1.50 to $3.50 an hour; Semi-skilled—$1.10 to $2.50 per hour; Unskilled—$1.00 to $2.00 an hour.

COME AND SEE FOR YOURSELF WHAT ALABAMA IS REALLY LIKE—

STATE OF ALABAMA
GOVERNOR'S OFFICE

MONTGOMERY

(ALABAMA SEAL)

TO OUR FRIENDS IN INDUSTRY
U. S. A.

Greetings:

Alabama offers you a golden opportunity to establish your business in the heart of the rapidly growing economy of the Southeast.

For proof, glance through the pages of this Special Alabama Section portraying the startling development of industry and commerce in this State. Ours is a roll call of small, as well as giant, industries locating profitably within our borders, and operating with a marked degree of success and profit. Our State has available many ideal and well-planned industrial sites suitable for unlimited varieties of business operations.

[fol. 1102] We are glad to report that new industries continue to come to Alabama at a steady pace. Old industries are expanding. Modern new school buildings—river traffic—foreign trade—glowing steel mills—mines, factories and farms—all are part of today's picture of Alabama's industrial progress and prosperity.

Come and join us. Alabama needs you and you need Alabama!

Sincerely,

James E. Folsom
James E. Folsom
Governor

ALABAMA FORGES AHEAD IN INDUSTRIAL DEVELOPMENT

Three years ago, Governor James E. Folsom asked the Alabama Legislature to create the State Planning and Industrial Development Board to assist industries considering locating in Alabama. Alabama's taxing entities may grant such industries ad valorem tax exemptions for 5 to 10 years on the total levy (except school and land taxes). Birmingham's famous Committee of 100 and local Industrial Development Committees throughout the State, Chamber of Commerce organizations, and industrial development departments like the very active one of the Alabama Power Company, have all put their shoulders to the wheel with the same purpose.

The result has been an industrial expansion in Alabama that is spectacular. On other pages of this section are factual stories about different Alabama industries and

Alabama industrial resources. Space limitations permit only mention of others, for example—

Alabama is the nation's leading producer of cast iron pressure pipe and soil pipe, has one of the fastest growing aircraft industries, 3 cross country natural gas lines reaching almost every section of the State, has abundant coal supply, blast furnace slag, limestone and dolomite, marble, industrial water. Alabama's foundry industries produce a multitude of different products.

Alabama's raw material production has increased from [fol. 1103] $42 million in 1939 to $120 million in 1955. Processing production (construction and manufacturing) has increased from $624 million in 1939 to $3,751 million in 1955. In the same period, annual utilities production has increased from $80 million to $473 million, annual finance production from $43 million to $378 million, annual distributive trade from $962 million to $5,095 million—all enterprise in the State from $1,934 million annually to $10,425 million, approximately 500%.!

Alabama has 10 State supported colleges. The total expenditure for public elementary schools increased from $45 million in 1946-47 to $117 million in 1955-56. Total enrollment in 1956-57 in public elementary schools was 488,295 white and 256,180 Negro students.

Alabama has one of the most modern highway systems, consisting of 22,700 miles of paved roads, with 2,225 miles of new highway construction now planned. New highway construction in 1955-56 cost $55 million and in 11 months of 1956-57 cost $61 million. There are 281 intrastate and 622 interstate commercial truck lines operating as common carriers, 845,615 trucks. Total increase in registration of motor vehicles in 1957 over fiscal year 1956 was 4.5%.

December 31, 1956, there were 29 railroads operating in Alabama, having 7,749 miles of track and an investment in Alabama of over $491 million.

In the period 1950-56, home ownership increased in Alabama by 47.3%, average family income increased 47%, and sales increased 37.2%.

Alabama's uniform temperature climate gives good all-year working conditions, building costs are lower and industrial operations more efficient.

Affecting the overall industrial picture, in Alabama Southern Research Institute, a non-profit corporation which conducts scientific research in the interest of industrial enterprises, private foundations, government agencies and health organizations.

Finally, the most important factor of all, Alabama's people. No statistic can show the value of a friendly and cooperative people, individuals who are loyal, active people, individuals who are eager to learn new skills and capable of learning. Such are native Alabamans.

[fol. 1104] Alabama is on the march, building a great industrial empire. Read the following pages, then come and see for yourself.

(TWO PHOTOGRAPHS ATTACHED TO ORIGINAL)

ALABAMA MINERALS MAKE ALABAMA GROW

For many years Alabama has been a leader in mining ore, coal, limestone and dolomite as well as a minor producer of fire clays, molding sands, marble, sand and gravel.

Many by-products of the iron and steel industry such as naphthalene, light oils, coke oven tar, nitrogen and blast furnace and open hearth slags serve to emphasize the firm foundation upon which the Alabama industry is built.

For the past fifteen years the Geological Survey of Alabama with the cooperation of the Ground Water and Surface Water Branches of the U. S. Geological Survey has studied in detail the quality and quantity of Alabama water resources. This study has demonstrated the excellent supply of ground water available for municipal and [fol. 1105] industrial use. An adequate, clean water supply is the first essential to industrial development. Alabama has it.

The following mineral resources play the greatest role in mining in the state.

ASBESTOS—the amphibole variety. Very little experimentation with this mineral.

ASPHALTIC SANDSTONE AND LIMESTONE—presently being mined as natural paving material. Large reserves of this material.

BARITE—many small deposits of low-grade ore available.

BAUXITE—large deposits of this rock, some being mined, for refractories, chemicals and abrasives.

BITUMINOUS COAL—large reserves of coal for fuel and chemicals. Future underground gastifications may use many thin seams not economical at this time.

BUILDING STONE—world famous oolitic limestone and marble. Only a small fraction of what is available is being quarried.

CLAY AND SHALE—large deposits of various clay minerals suitable for making brick, cement, refractories, lightweight, aggregate and fullers earth.

GRAPHITE—flake and amorphous—major reserves in United States. No mining since World War II.

IRON ORE—hematite and limonite—the major industry in Alabama.

LIMESTONE AND DOLOMITE—major industry—nearly one-third the surface area of Alabama is underlain by limestone and dolomite, some high grade. Dolomite will soon be used to produce metallic magnesium.

MICA—the mineral muscovite presently being mined as scrap grade. Many unexploited mica deposits. Some sheet mica.

OIL AND GAS—four oil fields developed in last thirteen years. Promise of new fields being discovered. Numerous small gas fields should be developed in the near future.

SALT—one large salt dome close to the surface in the basis for an alkali-chlorine industry. Other salt deposits known.

SILICA—some high grade quartz sand and gravel, sand-
[fol. 1106] stone and quartzite.

TALC—small deposit presently being mined.

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

BESSEMER SUMS IT UP

Small City Atmosphere
Metropolitan Advantages
Excellent Location

New industries make friends easily in Bessemer (pop. 32,000), because here people cooperate with each other and share pride in new plants.

Nearness to Birmingham (18 miles by 4-lane, divided superhighway) affords metropolitan advantages. Transportation, medical, cultural, recreation.

Address inquiries to:

BESSEMER CHAMBER OF COMMERCE

101, City Hall

BESSEMER, ALABAMA

ALABAMA HAS JUST WHAT YOU WANT FOR AN INDUSTRIAL SITE!

This site near Athens in Limestone County, is typical of the many attractions for industrial locations available in L & N-served Alabama.

[fol. 1107] Alabama offers the excellent combination of access to raw materials, abundant water, electric power, and other utilities, expanding consumer markets, cooperative labor and superior transportation service.

Our Industrial Development Department will gladly study your plant site problems and, without obligation, submit a confidential analysis for your consideration.

Contact the L & N's
Industrial Development Offices
at Louisville (Phone JUniper 7-1121)
or Birmingham (Phone ALpine 1-5211).

LOUISVILLE & NASHVILLE RAILROAD

(TWO MAPS ATTACHED TO ORIGINAL)

WELCOME TO SELMA AND DALLAS COUNTY
in the heart of Alabama

Selma and Dallas County welcome industry, and industry welcomes the many unique advantages they offer:
—a location on an important inland waterway, the Alabama River.
—an abundance of natural resources.
[fol. 1108] —a readily available pool of adaptable, quick-to-learn labor. (Just ask some of our industries!)
—a community that actively seeks new industry and that will actively help new industry to locate successfully.
—a warm, rich life in a community with unexcelled facilities for working, living and recreation.
For more about Selma and Dallas County:
CHAMBER OF COMMERCE
SELMA, ALABAMA

(SMALL MAP ATTACHED TO ORIGINAL.)

MAKING "SNOW" IN ALABAMA

They're making *snow* down in South Alabama. Snow-white pulp is flowing from Gulf States Paper's new mill near Demopolis to the paper industries throughout the United States and abroad.

A pioneer in the Southern paper industry, Gulf States Paper has expanded its three generations of paper-making skill into the production of top-quality bleached pulp suitable for making the finest papers. The most advanced equipment and skilled personnel turn out glistening pulp which rates 88 on the GE Brightness Test.

The whitest, brightest paper will be made from Gulf States Paper's E-Z PULP!

GULF STATES PAPER
Corporation

Makers of "Quality Counts E-Z Opener, Grocery Bags and E-Z Pulp" Tuscaloosa, Alabama.

[fol. 1109]

(One Photograph Attached to Original.)

ALABAMA CHEMICAL PROCESS INDUSTRY IS BOOMING

From an output valued at $44 million in 1939, Alabama's booming chemical industry has an output valued at $232 million in 1956. Continuing growth of the Alabama chemical industry in 1957 was phenominal.

Alabama's unexcelled waterways, the Warrior-Tombigbee-Mobile rivers and the Tennessee river in North Alabama are the principal locations of chemical plants, although there are many inland plants as well. Plants along the Mobile river include the $12 million liquid chlorine and rayon-grade caustic soda plant, using salt as raw material. This great Alabama salt dome contains over an estimated 40 billion tons of 99% pure salt. Test holes were drilled over half a mile deep and never reached bottom. This is estimated to be enough salt to supply the world for several hundred years.

Other new Alabama plants make insecticides, DDT and BHC; pentaerythritol, formaldehyde, caustic soda, carbon bisulphide, commercial fertilizers, commercial ammonia, ammonium nitrate and nitric acid, ammonium sulphate, acrylic acids.

In the Warrior-Tombigbee-Mobile River area there are now 34 great chemical plants; in the Tennessee River area there are 13 chemical plants. In inland Alabama areas, there are some 153 large and small chemical plants. Total employment in Alabama's chemical industry is approximately 11,000 persons.

An Alabama chemical plant manager makes this statement: "We can give an unqualified recommendation to any [fol. 1110] new industry, thinking of locating in Alabama, on the quality of the manpower here. After some little training, men who never saw a processing plant before, brought our plant up to capacity production in less than one month."

(One Picture Attached to Original.)

INDUSTRY'S USE OF TV IN ALABAMA

Industry in Alabama finds a cooperative media for information to its personnel and to the public, in the nation's only State owned and operated television network. Its telecasts are viewed by 85% of the State's TV sets over Channels 2, 7 and 10 from studios on campuses of (and operated by) Alabama Polytechnic Institute and the University of Alabama, and another in Birmingham by Jefferson County Public School systems.

Mornings and afternoon offer in-school direct and supplemental teaching courses with accent on junior and senior high math and sciences in an attempt to bring new interest to studies of young adults in these subjects in order to train them for industry's increasing demand for personnel with technical backgrounds and skills. Industrial leaders and representatives appear on in-school telecasts to explain how a subject being taught is related to their profession, and where students can secure details in what to "specialize" to enter specific jobs in area firms (317 white and negro high and over 200 junior high schools are utilizing these in-school tele-courses.)

Evening programming is geared to family cultural, civic, and adult courses.

One of the network's more successful series, "A.B.C.'s of [fol. 1111] Investment," presented in cooperation with the Alabama Securities Association, explains the fundamentals of Alabama commerce to laymen interested in investing in Southern businesses. Guests have included company presidents and representatives in various fields from utilities to airlines.

The network operates 62:30 programming hours weekly. In a recent speech at Syracuse University, General Electric Corporation Vice President, Dr. W. R. Baker, said, "Some of the finest ETV work today is being done in the State of Alabama."

Yet the network cannot be classed as a heavy tax burden as its cost of operation is but $7.50 per telecast hour.

(One Photograph Attached to Original.)

ALABAMA TAX LAWS FAVOR INDUSTRIAL PROGRESS

Along with its many other attractive features, Alabama offers a favorable tax structure to industry. State and Local Governments in Alabama have traditionally recognized that it is preferable to encourage growth through attractive tax policies rather than through seeking increased revenues from unsound and punitive tax measures. The economic justification for this general policy is brought out by the fact that the State's revenues for schools have increased more than ten (10) times during the last seventeen (17) years. This is phenomenal progress, resulting primarily from the increased industrial activity in the state. Only two major increases in taxes have been placed against Alabama business and industry in the last twenty [fol. 1112] (20) years. In 1951 the sales tax was increased one cent, making a three cent rate, and in 1955 the corporate franchise tax fifty (50) cents, making it $2.50 per thousand.

Alabama's corporation income tax rate is three per cent. Federal income tax is deductible along with other allowable deductions in most instances closely following deductions allowable for federal tax purposes. The administration of all of the state's tax statutes is under capable leadership exercising impartial and fair treatment to all taxpayers.

The sales tax law in Alabama contains ingredient, processing, and machinery exemptions which avoid double taxation and promote the ability of business and industry to pass along to customers a tax which is not pyramided several times before reaching the consumer. The sales tax in one of the most outstanding developments in the field of state and local taxation in recent years; however, the Alabama law is one of the fairest in the nation to business and industry.

Many localities in Alabama grant exemptions to new industries from the major portion of property ad valorem taxes for periods up to ten years. There is no sales or use tax on raw materials, machinery or parts used in mining or manufacturing. Favorable ad valorem tax rates ranging from $2.10 to $3.60 per hundred in most areas are applied against industrial properties based on actual valuations at an average of approximately 35%.

The corporation franchise tax is computed at $2.50 per $1,000 of (1) capital employed in the state by foreign corporations and (2) capital stock of domestic corporations. Where corporations have facilities in Alabama and one or more other states, fair and equitable prorations are made by the administrative authorities.

These are the principal taxes on business and industry in Alabama. It can be said that Alabama has a favorable tax climate and its citizens are interested in industrial progress, and expansion to the extent of recognizing that encouragement in this direction pays dividends in increasing state revenues.

[fol. 1113]

(One Photograph Attached to Original.)

HOME OF NATIONAL PEANUT FESTIVAL

The largest town in the so-called "Wiregrass" section of Alabama is Dothan, population 50,000, home of the National Peanut Festival every October. Nearby is Enterprise, world famous town on account of the boll weevil monument.

The "Wiregrass" section in southeast Alabama has had an economic revolution in the past 12 years. Peanuts have replaced cotton as the chief agricultural crop, and the whole economy of the section now is well balanced between agricultural and industry. Prior to World War II it was exclusively agricultural. Principal farm crops today are peanuts, corn, truck, crops, livestock and dairying. Industrial development has consisted of many small and stable industries, employing local labor. Principal industrial products are lumber, furniture, cigars, textiles, hosiery, toys, farm equipment, fertilizer, feeds, cotton oil and peanut oil. A big assist to the local economy is furnished by the Army Aviation School at Fort Rucker, Alabama.

This "Wiregrass" section is especially blessed by abundant water for both industrial and domestic uses. Other natural resources include great pine forests, clay and sand deposits, a mild climate and ample native labor supply of high-type easily trained men and women.

LOOK FOR THE WOMAN IN THE CASE

For the unvarnished truth about a situation, ask the women! These are wives of managers of new and expanding successful industries located in Dothan and Houston County, Alabama. They are our best advertisement. They [fol. 1114] will speak to you—emphatically—about this city's modern schools, churches, hospitals, pretty homes, excellent shopping facilities and its friendly atmosphere. They know from experience the advantages of locating new industry in Houston County. Here is what they say:

"Of course were were vitally interested when our husbands considered moving to Houston County. We had lengthy conferences, discussing every phase—business potentials and social life. We visited Dothan. We liked what we saw and heard. The local people were friendly and cooperative. The community was very attractive. We agreed with our husbands on the move, and now we realize more each day how wise was our decision."

IDEAL INDUSTRIAL LOCATION

MARKET: 25 million live within a 500 mile radius covering the southeast.

LABOR: 250,000 population in 10 county area, including easily trained native workers and farm labor.

TRANSPORTATION: Rail, air, water, motor—4 rail lines, 9 commercial plane flights daily, 3 U.S. highways, 4 state highways (farm to market road network also), 9 foot river channel.

WATER: Houston County adjoins the great Chattahoochee River for 25 miles, average daily flow 12 billion gallons, ample for industrial and domestic supplies.

RESOURCES: Temperate climate, lumber, clay, sand—fast growing slash pine forests.

FACILITIES: An abundance of hydro-electric power, natural gas, and large quantities of underground water.

IN THE HEART OF THE *WIREGRASS* SECTION OF ALABAMA

CITY OF DOTHAN, ALABAMA
HOUSTON COUNTY, ALABAMA
DOTHAN CHAMBER OF COMMERCE

[fol. 1115]
(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

FOR RETAIL, COMMERCIAL, AND INDUSTRIAL LOCATIONS IN THE SOUTH—
ASK ENGEL

There's a leader in every field—one firm that has better contacts, better staff, and the reputation for getting things done. For business property in the southeast, it's Engel.

Throughout Alabama and the southeast, our up-to-date knowledge of the real estate market offers you the largest available selection.

Our mortgage-loan department can secure financing on the commercial and industrial properties you desire. Or, if you prefer, we will lease you a building constructed to your specifications in any section of the southeast.

Over 50 years experience in leasing, selling, building and financing stands behind Engel's qualified judgment. You'll find just what you want, when you "ASK ENGEL."

ENGEL REALTY COMPANY
1921 First Avenue, North—Birmingham, Alabama

WE'RE ON THE GO IN MONTGOMERY

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

[fol. 1116] MONTGOMERY—where conditions are ideal for production, manufacturing and distribution of goods—offers you unusual opportunity for successful operation of your business. The First National Bank of Montgomery has served the financial needs of Alabama for 86 years and offers its complete banking and trust services to new industry moving into the area.

SERVING ALABAMA SINCE 1871
THE FIRST NATIONAL BANK OF
Montgomery
Montgomery, Alabama
Member Federal Deposit Insurance Corporation

ALABAMA IS A GOOD PLACE TO LIVE

Industrial management and workers who locate in Alabama are a happy breed, for they are living in one of the outstanding recreational States of the nation.

Alabama has wide, safe, silver sand beaches which are washed by the warm waters of the Gulf of Mexico. Pelicans sweep over semi-tropical waters; pine trees and palmetto scrub reach down to the coastline. Some of the world's finest deep sea fishing at reasonable, uncommercialized rates, is enjoyed in historic Mobile Bay and the Gulf. Exotic and internationally famous Ballingrath Gardens near Mobile are beautiful 12 months of the year. The shrimp fleet anchored at Bayou LeBatre, where the Spanish moss hangs from the old oak trees, is a picture for any artist.

National Scenery

Alabama has mountains in its northern regions, where rhododendron, mountain laurel and other flowering shrubs cloak the hillsides, forming brilliant foregrounds to mountain scenic drives which wind round curves, overlook valleys, and offer far mountain vistas bathed in a blue, sunlit haze. Near Guntersville are giant caverns with stalagmites and semi-precious stones. At Fort Payne is a 1,000 feet-deep and 25-mile-long gulch named Little River Canyon, [fol. 1117] after the rocky stream which flows along its base. Mount Cheaha, near Talladega, is the highest point in the State.

Alabama has great lakes. The mighty Tennessee River flows across its northern counties, and vast lakes have been created by Wilson, Wheeler and Guntersville TVA dams. Water skiing, boating, fishing and swimming is available to all who have the desire and the equipment to enjoy their favorite watersport. The pine-covered hills

of this Tennessee Valley in Alabama form the background for these lakes whose waters spawn industries, yet leave unspoiled the recreational centers of Alabama's northern water wonderland.

Other great lakes, mainly in central Alabama, offering similar watersport facilities, have been created by the dams of the Alabama Power Company and Federal dams on the Tombigbee-Warrior waterway. Lakes Martin and Jordan, northeast of Montgomery, have been particularly developed as recreational centers, with lakeside homes, beaches and fishing camps.

Good Fishing

Alabama has many major rivers, and almost numberless smaller streams and creeks. All these rivers and creeks teem with fish. Many Alabamans live within walking distance of first rate fishing. Thanks to great forest areas, plus abundant water, anyone who wants to do so, can enjoy hunting. Besides quail and dove and rabbits and squirrel, ducks and geese, Alabamans enjoy deer hunting and turkey shooting.

Alabama has shrines of the ante-bellum and Conferedate eras; it has Indian mounds, skeletons and museums; it has Horseshoe Bend where "Old Hickory" Andrew Jackson defeated the Creek Indian Nation.

Point Clear, Alabama, on Mobile Bay, has been a recreational social center for over a century. The present Grand Hotel there is the third hotel of the same name on that same spot. This hotel offers gracious living in modern surroundings, with every convenience and recreation, including golf, bathing, boating, fishing, tennis, riding, and lawn bowling.

Lat but not least, Alabama has an ideal temperate climate in which to enjoy life; so that, indeed, "livin' is easy" and pleasant.

[fol. 1118]

(THREE PHOTOGRAPHS ATTACHED TO ORIGINAL.)

ALABAMA IS IMPORTANT ALUMINUM PRODUCER

Mobile is the principal U. S. port of entry for bauxite, the ore from which aluminum is made. Near Mobile is the largest alumina plant in the world with a capacity equivalent to 100,000 tons of aluminum annually. It is the plant of the Aluminum Company of America, which recently completed a $12 million plant expansion, boosting its capacity by 44%. Alumina is the first step in making aluminum, similar to the use of pig iron in making steel.

Upstate in the Tennessee River valley at Listerhill, Alabama, is the great aluminum plant of Reynolds Metals Company. Its initial annual capacity was 100 million [fol. 1119] pounds of aluminum. When present expansion is completed, it will produce annually 340 million pounds. Since starting operations in May, 1941, over 1½ billion pounds of aluminum have been produced at the Listerhill plant. Its products include aluminum sheet, foil, cable, wire, rods and bars.

Reynolds annual payroll exceeds $10 million. Its new plant will add about 700 employees at an additional annual payroll of $3 million.

This Listerhill plant is where molten aluminum in ladles was first transferred directly to sheet mill furnaces. Now this same principle is being used in the new Ford Motor Company aluminum foundry which has just started operation at Listerhill near the Reynolds plant. The Ford plant has 200,000 square feet of floor space, will eventually employ about 800 people, producing per day about 140 tons of aluminum castings for Ford engines and transmissions. Ford is reported to have contracted to take 640 million pounds of aluminum over the next 10 years, said to be the largest aluminum contract in history.

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL)

HUMAN PROGRESS

Realizing the importance of the human values and knowing that home ownership creates a greater sense of responsibility toward community and job, the Galbreath organization has changed the concept of industrial housing by revitalizing some 15 "company towns" in Alabama and making these homes available to thousands.

Demonstrating yet another phase of our imaginative real estate service is the new office building constructed at Birmingham for the Tennessee Coal and Iron Division of United States Steel Corporation. T.C.I. seeing a need for more adequate offices and knowing the many advantages of the unique building service offered by the Galbreath [fol. 1120] organization, was able to secure a modern, tailor-made facility without the depletion of capital. This bright, new, modern building has contributed much to the human progress of T.C.I. employees and human progress is the foundation of our way of life.

When personal sights are raised, the level of our community living is elevated, John W. Galbreath & Co. is proud to have had a part in the personal and community progress of Alabama.

JOHN W. GALBREATH & CO.
REALTORS
COLUMBUS . PITTSBURGH . NEW YORK

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

ALABAMA AND SOUTHERN INDUSTRIES PARTNERS IN PROGRESS

Organized in 1946, Southern Industries Corporation has grown into a well-developed holding company. Among the fifteen subsidiary companies which we own and operate are:

GRAND HOTEL AND LAKEWOOD GOLF CLUB, POINT CLEAR, Ala.—the South's finest resort hotel. Gracious living in modern surroundings. Golf, bathing, boating, riding, lawn bowling. Open the year 'round.

BATTLE HOUSE HOTEL—Mobile's leading hotel with all the charm and atmosphere of the Deep South. Air-conditioned, excellent food, bright sample rooms.

HENDERSON SUGAR REFINERY, INC.—refiners of Henderson Superfine Sugar, which has wide distribution throughout the South and in most states east of the Mississippi River.

SOUTHERN OYSTER SHELL MILLING CORPORATION AND OYSTER SHELL PRODUCTS COMPANY.—largest producers of crushed oyster shell in the world. Nationally sold under trade names of PILOT BRAND and EGGSHELL BRAND oyster shell for poultry.

[fol. 1121] BAY TOWING & DREDGING COMPANY, INC.—dredges oyster and clam shells from huge deposits off the Gulf coasts of Alabama, Florida, Mississippi and Louisiana.

RADCLIFF GRAVEL COMPANY, INC.—dredgers of sand and gravel from Alabama rivers; producers of ready-mixed concrete, concrete bricks, etc.

McPHILLIPS PACKING CORPORATION AND QUALITY SEAFOOD COMPANY—packers of seafood, principally shrimp, nationally marketed under the famous DUNBAR label.

We at Southern Industries Corporation are grateful to Alabama for the opportunity it gave us to grow. Our rapid expansion is proof of what industry can do in this dynamic state.

SOUTHERN INDUSTRIES CORPORATION
MOBILE, ALABAMA

(A SERIES OF PHOTOGRAPHS ATTACHED TO ORIGINAL.)

[fol. 1122]

SHIP NEAR OR FAR WITH McLEAN INDUSTRIES, INC.

PAN-ATLANTIC STEAMSHIP CORPORATION
Sea-Land Trailerships between New York, Wilmington, Del., Miami, Houston, New Orleans and Tampa. Also Intercoastal General Cargo and Passenger Service between Pacific Coast Ports and Atlantic Coast Porta and Puerto Rico.

WATERMAN STEAMSHIP CORPORATION
General Cargo and Passenger Service from the U. S. North Atlantic, Gulf and Pacific Coast Ports to Continental Europe, United Kingdom, the Mediterranean and the Far East.

WATERMAN STEAMSHIP CORPORATION OF PUERTO RICO
Sea-Land Trailerships between North Atlantic and Puerto Rican Ports beginning March 1st. Also General Cargo and Passenger Service from U. S. North Atlantic and Gulf Coast Ports to Puerto Rico.

McLEAN INDUSTRIES, INC.
General Offices
61 St. Joseph Street
Mobile, Alabama
Branch offices and agents in principal U. S. Cities.

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

ENGINEERED FOR QUALITY. THE COMPLETE LINE UALCO ALUMINUM WINDOWS

Ualso windows are known internationally as highest quality for commercial buildings and homes. Versatile, beautiful, economical. Warehouse stocks in New York area.

SOUTHERN SASH
SALES & SUPPLY CO., INC.
Sheffield, Alabama

[fol. 1123]

"WE CAME, WE SAW, WE STAYED"

—GENERAL ELECTRIC

Here is one way Alabama people aid industrial site seekers. Anniston, Alabama, like other Alabama communities, has a community Industrial Development Committee, the members of which are local experts on natural resources, finance, power, water, labor force, taxes, sites, markets, etc. The experience quoted below is in the words of an official of the $10 million General Electric electron tube works built a few years ago in Anniston. Part of his experience in selecting a site, he describes as follows:

"We visited Anniston and communities of other States. With Anniston: We liked its general appearance. Both the business and residential sections were neat and clean, reflecting industry and pride. The schools were well located and we could sense that here was planning for maintaining adequate facilities. The city was free of taverns and "joints" which would attract young people. A most beautiful and complete YMCA was practically finished. Very cleverly arranged combinations of pools, parks and playgrounds were strategically located all around the children's recreation areas. A few contracts showed that the police force and fire department were courteous, friendly and effective. Our wives shopped the downtown business section. We told clerks we were thinking of making our home here and they assured us we would like Anniston. We tried hamburger stands, soda fountains, a gasoline station —and found friendly service everywhere. We found many fine churches and many active civic clubs. In the residential section people willingly showed us through their homes and frankly answered our questions about the building contractor and his work. And, we found the banking and bankers friendly and aggressive. Frank, too, but soundly confident and warmly interested in the community's growth.

"Finding these services satisfactory and the labor market adequate, we made known our true identity, went seriously to work and within eight weeks our coming was officially announced in Anniston.

"But equally important, the interest and assistance of the Anniston people did not slacken, with the thing now [fol. 1124] 'in the bag.' That true 'Southern hospitality' followed through with the Chairman of the Industrial Development Committee of the Anniston Chamber of Commerce arranging some effective tours—whereby our 25 men visited Anniston in small groups, met with representatives of the clergy, education, real estate and civic clubs and were thoroughly entertained and introduced to Anniston. Our men could now return with that 'little (Woman),' pleasantly introduce her to their new home and began planning for this new adventure.

"Within five months of operations in Alabama we achieved a going rate that required 15 months of effort on the part of one of the major tube competitors who located elsewhere."

(PHOTOGRAPHS ATTACHED TO ORIGINAL.)

[fol. 1125]

PORT OF MOBILE—GATEWAY TO AND FROM WORLD MARKETS

In many sections of the nation, Alabama is generally considered an interior State with an agricultural economy and miles and miles of cotton plantations. As a matter of fact, Alabama is a maritime State which has changed to an industrial economy. Two necks of Alabama land border the Gulf of Mexico and form Mobile Bay, into which flow most of Alabama's rivers and where lies Alabama's great Port of Mobile.

Now one of the top 10 Gulf ports in tonnage hauled, Mobile is named the sixth port of importance in the U.S., by the Bureau of Foreign and Domestic Commerce. Export tonnage through Mobile in 1955 was 1½ million tons, valued at $91 million. Imports totaled nearly 5½ million tons, valued at $78 million. Total tonnage handled was nearly 7 million tons, valued at $100 million.

Development of the Port of Mobile was climaxed in 1928 by construction of the Alabama State Docks—now a $50 million ocean terminal handling the bulk of export and im-

port tonnage through the port. It provides safe storage and efficient handling of inbound and outbound freight cargo on and off ocean going ships. The State Docks have brought about an ever increasing diversification and volume of commodities moving through the port, such as lumber, steel, naval stores, cotton, nitrates from Chile, potash from Europe, sugar from Cuba and the West Indies, bananas from Central America, aluminum ore, iron ore, cast iron pipe, newsprint, paper, peat moss, molasses, crude oil, canned goods, crude rubber, jute bagging, chemicals, coconuts, plate glass, liquors, asphalt, soybean and peanut oils, wrapping paper and many other miscellaneous commodities.

The ability of the State Docks to handle commodities efficiently and economically has attracted shippers from all over the world to the use of its facilities. The Docks' volume of traffic has so increased that a $500,000 expansion and modernization became necessary and has just been completed.

The Docks provide Alabama industry with modern facilities for importation of needed raw materials and supplies [fol. 1126] a world-wide outlet for exportation of Alabama made industrial products.

In addition to the excellent general cargo piers, an ore terminal mechanically handles minerals and raw materials from overseas. Frozen foods are stored at the shipside cold storage and freezing plant for export, or for import movements such as the frozen fish from Norway. A grain elevator handles the cereals for customers overseas.

Marginal tracks directly along the piers, and the Docks' own terminal switching railroad; shipside boxing and crating facilities; import warehouses; cotton compress and warehouse; oil pumping equipment for direct transfer between tank cars and ship. All these units to make the Port of Mobile a model port.

Steam pile drivers are pounding cement pilings into the waterfront for three new berths. The ore terminal is being expanded by 30 per cent. Dredges have finished cutting four more feet off the channel bottom, deepening it to 36 feet to accommodate any size ship. Shippers and con-

signees come from neighboring southern states, and the vast industrialized mid-continent U. S., and plans now are being made by the State Docks Board to build a $1 million International Trade Center building, 9 stories high and with 8,000 sq. ft. of floor space.

One of the most significant developments in Alabama is the recent acquisition of a seventy-four hundred acre tract of river front land immediately north of Mobile. A series of options up to seventy-four years has been given the Alabama Industrial Development Association, a non-profit corporation created by the presidents of the American National, First National and Merchants National Banks. The Association has in turn offered the State of Alabama such acreage as will lend itself to the future expansion of the Alabama State Docks. This makes available more than three miles of river-front extending north from the end of the present forty foot channel. It will provide for 1½ times the present capacity of the Alabama State Docks.

The State is presently engaged in engineering a master plan for determination of the land acres it may need and the over-all development of the industrial area generally.

The area, when developed, will offer sites in close prox- [fol. 1127] imity to Mobile and Chicksaw, served through the State Docks Terminal Railway, with four trunk line railroads having ready access to the belt-line highway and to both barge and ocean going water transportation. With available process to water, power, natural gas, coal and oil, it will afford an unmatched situation for industries for which these facilities are primary requirements.

NATURAL GAS BRING LOWER COSTS TO BUSINESS AND INDUSTRY IN CENTRAL AMERICA

ALABAMA GAS CORPORATION
BIRMINGHAM, ALABAMA
JANUARY 15, 1958

Executives in Charge
of Company Plans
For Expansion

Gentlemen:

In this supplement of The New York Times you'll find many interesting facts about our wonderful state—convincing reasons why it's worthy of high priority in your plans for expansion.

So I'll mention only a few things to demonstrate how well we can take care of your Natural Gas requirements when you come to Central Alabama.

[fol. 1128] While adequate meeting all demands during 1957 (including more than 300 industrial customers), some $3,700,000 was expended for additions to our properties; and to meet anticipated demands for 1958, expenditures of approximately $5,000,000 are planned.

Alabama Gas is growing with Central Alabama—an ideal location for your new plant. We want you not only as a customer, but also as a friend and neighbor.

Drop me a line and let me know your location requirements.

Sincerely,

R. A. Puryear, Jr.
R. A. Puryear, Jr.
President

If more dependable, lower fuel cost is vital to the profitable operation of your business or industry, we invite your earnest consideration of Central Alabama—that rapidly growing pleasant-to-live-in area served by ALABAMA GAS. Here 49 progressive municipalities and communities comprising 25% of the state's entire population offer many

decisive factors for advantageous plant location *in addition to the availability of low-cost Natural Gas.*

Indicative of the abundance and economy of this clean, inexpensive fuel, during the 12-month period ending October 31, 1957, ALABAMA GAS provided 24,000,000,000 (24 billion) cubic feet of Natural Gas to its industrial customers at an average cost of only 26¢ per thousand cubic feet.

We invite your inquiry regarding a location in our service area.

ALABAMA GAS CORPORATION
Birmingham, Alabama

COMMUNITIES IN OUR SERVICE AREA
(POPULATION IN PARENTHESES)

Anniston (44,000) Attalla (8,600) Auburn (15,900) Bessemer (32,000) Blue Mountain (600) Birmingham (450,000) Brent (1,100) Brighton (4,100) Brownville (800) Centreville (1,100) Eady City (800) Fairfix (3,300) Fairfield (14,800) Gadsden (65,700) Glencoe (2,100) Greensboro (2,200) Heflin (2,500) Hobson City (900) Holt (3,500) [fol. 1129] Homewood (18,000) Irondale (2,800) Langdale (2,700) Leeds (5,600) Lincoln (600) Lipscomb (3,100) Marion (2,800) Midfield (3,400) Millbrook (1,000) Montgomery (139,000) Mountain Brook (13,000) Newborn (400) Northport (4,100) Notasulga (1,100) Opelika (16,000) Oxford (3,500) Prattville (6,600) Reform (2,000) Riverview (2,400) Selma (27,600) Shawmut (3,300) Springdale (600) Talladega (17,700) Tarrant City (10,100) Tuscaloosa (62,000) Tuskegee (6,700) Uniontown (1,800) Vestavia Hills (2,200) Weaver (1,200) Wetumpka (4,300) Total population—974,600

SOME OF OUR MORE THAN 300 INDUSTRIAL CUSTOMERS

Alabama Polytechnic Institute (Auburn)
Allied Chemical and Dye Corp. (Fairfield)
Alpha Portland Cement Co. (Birmingham)
Gulf Shores Paper Corporation (Tuscaloosa)

Harbison-Walker Refractories Co. (Bessemer)
Hazel-Atlas Glass Company (Montgomery)
Leclede Christy Company (Bessemer)
Louisville & Nashville Railroad Company (Birmingham)
Monsanto Chemical Company (Anniston)
Pepperell Manufacturing Co. (Opelika)
Pullman-Standard Car Mfg. Co. (Bessemer)
Republic Steel Corporation (Gadsden)
The Lamson and Sessions Co. (Birmingham)
Tuskegee Institute (Tuskegee)
U.S. Pipe and Foundry Co. (Birmingham)
University of Alabama (Tuscaloosa)

ALABAMA'S RESOURCE MANAGEMENT

The people of Alabama are aggressively working toward conservation of natural resources, and the Alabama Department of Conservation, one of the largest units in Alabama's state government, has five divisions: Forestry, Game and Fish, State Parks, State Lands and, Seafoods. [fol. 1130] Alabama maintains 44 public areas for outdoor recreation or for preservation of historical sites. These include 10 major parks six minor parks, 16 public lakes, seven historical sites and five scenic parkways: a total of 41,317.85 acres. During the past year attendance at the Alabama State Parks was 2,791,349 people.

Most of Alabama's parks provide fishing, swimming, boating, skiing and other water sports, but the greatest portion of the waters of the state lie in a sprawling network of navigable waters and their tributaries, and some 14,000 small fish ponds and lakes. Tidal gates have been established on the large lake in Gulf Shores, converting the salt water lake to fresh water, stocked with blue-gills and large-mouth bass, now the largest fertilized lake in the world.

One of Alabama's greatest assets is abundant wildlife, the population of which is increasing steadily. The hunter and fisherman have more acres of public hunting and fishing at the present time than ever before. Some 4,000,000 hatchery fish are stocked annually and deer and wild turkeys are being stocked in every county.

On the Gulf of Mexico Alabama shoreline, the seafoods industry, including harvesting of oysters, shrimp, fish and crabs, is a multi-million dollar business annually. The Seafoods Division of the Department of Conservation protects the seafoods and does research and replanting or restocking of oyster beds.

An interesting project of this division, has been dumping wrecked automobiles in the Gulf waters to create artificial red snapper banks. Old fish to the small marine life which attaches to the metal, large fish seek the small fish and the resulting concentration of finny denizens provides excellent fishing for red snapper, grouper, king mackerel and other saltwater fish.

Alabama is the largest producer of crushed oyster shells in the world. Hundreds of thousands of tons of oyster shells are dredged from huge deposits off the Alabama Gulf Shore Coast, transported by barge to processing plants, crushed and shipped to every state in the Union and to foreign countries. Uses for oyster shells include road building, manufacture of cement, surfacing airfields and railway roadbeds, roofing.

[fol. 1131]

NAVIGABLE WATERWAYS SERVE ALABAMA INDUSTRY

Alabama has the best river system in the Nation. Great navigable rivers flow across its rolling lands—the Warrior, Chattahoochee, Tombigbee, Coosa and the mighty Tennessee.

Tows of modern integrated barges can move 20 trainloads of commodities. One of these tows on the Tennessee River may bring 1,000 automobiles from the North into Alabama, saving $10 a car in freight. Another may bring a quarter of a million bushels of grain from Minneapolis, saving $3 a ton. Still another may bring oil or gasoline from the refineries of Fort Arthur, Texas, saving $14 a ton. The barges are raised or lowered around the clock every day; the channel with 9-foot draft is marked with both buoys and lights.

Industries are taking advantage of TVA power, building great plants in northern Alabama. Three great TVA lakes

spread across the State, with approximately 2,500 miles of shoreline. Roughly, one-fourth of the total of all TVA lakes is in Alabama.

To serve the needs of Alabama industries on the Tennessee River, the State of Alabama has constructed river terminals there, and the inland river docks are being extended to other river systems throughout the State. Last July 15, at Florence, Alabama, Governor James E. Folsom ceremoniously took the controls of the crane that began work on the foundation of the first State river docks. The initial dock facilities was construction of five cells, with two additional cells to serve the cooperative-built grain elevator adjacent to the site. A month later, work was begun on the dock near Huntsville and land was purchased for a terminal at Decatur.

Alabama is bountifully blessed with river systems. Connecting Alabama's industrial city of Birmingham, and Alabama's Port of Mobile is the most important water route in the southeast—the Mobile-Tombigbee-Warrior waterway. This nine-foot barge waterway moves petroleum, chemicals, crude oil, pulpwood, sulfur, iron and steel products, coal, sand, cement, and gravel, and other products along this route. It carries the bulk of commerce moved on Alabama's inland waterways—more than all other 27 navigable inland [fol. 1132] waterways in southeastern coastal area. One big item moving upstream is some 2,000,000 tons yearly of iron ore from Cerro Bolivar, the "iron mountain" of Venezuela, destined to the blast furnaces of Birmingham, where it is mixed with the Alabama ores for iron and steel making. Another is bauxite, the basic aluminum ore. The Mobile-Tombigbee and Warrior flow into Mobile Bay, tying with the Gulf-Intercoastal waterway system on the arc of the Gulf of Mexico. These are the navigable rivers of Alabama.

Work is underway to create navigable waterways of other Alabama rivers. The Coosa-Alabama rivers, where Alabama Power Company has been authorized to build four new hydroelectirc dams, is under study by the U. S. Army Engineers to determine the feasibility of a barge-way from

Rome, Georgia, to Mobile, Alabama, linking the Alabama industrial cities of Gadsden, Anniston, Montgomery and Selma to the Port of Mobile. The Chattahoochee, on the eastern boundary of the State, has a dam near the Gulf of Mexico which created a waterway upstream to Columbia, Alabama: Two new locks and dams on this river will extend navigation to Phenix City, Alabama.

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

ALABAMA . . . PIONEER IN INDUSTRY

Industrial development is an old story in Alabama—a state which has been in the vanguard of the notable growth which has taken place in the South during the past three decades.

Possessed of almost limitless natural resources, combined with highly favorable conditions for manufacturing and distribution, Alabama offers outstanding advantages for industrial growth in the future.

[fol. 1133] Seaboard is proud to serve Alabama and to have a part in the state's rapidly expanding economy.

Let us furnish you detailed data on some of the excellent plant locations available in Alabama

SEABOARD AIR LINE RAILROAD
THROUGH THE HEART OF THE SOUTH

THERE'S A PLACE AND A PLAN FOR YOUR PLANT IN MONTGOMERY

INDUSTRIAL PACKAGE OFFER

For full information write INDUSTRIAL DIVISION
MONTGOMERY CHAMBER OF COMMERCE
Box 79
Montgomery, Alabama

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Builders and Repairers of Tugboats and Barges.
Repairers and Converters of Merchant Ships and Naval Vessels.

MOBILE SHIP REPAIR, INC.
ALABAMA STATE DOCKS
Mobile, Alabama

PAPER INDUSTRY GROWS AND THRIVES IN ALABAMA

Paper making is big business in Alabama.

Mills in the state now produce paper at the rate of nearly a million tons a year. Upon completion of building and expansion programs under way, Alabama mills will have an annual paper production capacity of something over 1,300,000 tons on a basis of 350 operating days. This compares to 180,000 tons produced in the state in 1930—[fol. 1134] considerably less than a month's output of one mill now operating in Mobile, the largest kraft paper mill in the world.

A reasonable estimate of the replacement cost of Alabama paper making facilities is 340 million dollars, without investment in supporting woodlands. Of that sum, 175 million dollars is the approximate cost of newly completed and planned construction.

Over 8,000 persons are employed directly by Alabama paper mills, and additional thousands received all or part of their income by cutting and hauling, pulpwood. The sure, steady demand for pulpwood has made a new cash crop of the once lovely pine, to the profit of farmers and others who own small and large parcels of Alabama's 23 million acres of forest lands.

There are five paper mills and a market pulp mill in Alabama, and two more paper making plants are being

built. At all existing mills, expansion programs are under way, or were recently completed.

There are three paper mills in Mobile, and in that city also there are a roofing and a paper-board plant which make a pulpy paper in their manufacturing processes.

Alabama's forests now produce an average of about four-tenths of a cord of pulpwood per acre per year. Under a stepped up program of forest management, increasing this yield to seven-tenths of a cord a year is seen as a practical possibility. Each year over two million cords of pulpwood are harvested and sold to mills capable of a daily output of nearly 3,000 tons of pulp and paper. This output will be increased by 600 tons per day within the next year.

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

[fol. 1135] ALABAMA'S MIRACLE CROP

The pines, the oaks, the gums and the other soft-woods and hardwoods supply the material for the State's third largest industry. In dollar value the good produced, the forest products industries are exceeded only by the primary metals and the textiles. Trees are Alabama's miracle crop for they replenish themselves when given proper protection and management. The growing of wood and its conversion into marketable products has reached such a high stage of development that the annual increment of growth now exceeds the annual cut. In the last 20 years, two million more acres have been classified as woodland which has been left out of crop production due to erosion, and reduced cotton allotments on farms.

Alabama's timber is second, third, and fourth growth, and forest tree plantations established with nursery-grown seedlings. In spite of clearing lands for agricultural production, 63% or approximately 21 million acres remain in forest land in private ownership.

In 1956 Alabama cut 1,684,874,000 board feet of lumber of which 64% was pine and 36% hardwood. In addition the forest produced: 2,111,244 cords of pulpwood and chemical wood, 1,417,367 cross ties and switch ties, 212,770 mine ties, 1,581,560 mine props, 855,002 poles and piles,

363,546 tons of stumpwood, 40,134 barrels of crude turpentine.

For the past fifteen years, the new growth forest have furnished annually greater quantities of commercial forest products than did the original or virgin growth. This has been made possible by the State's program of forest fire protection, forest management assistance, and reforestation which is carried on in cooperation with forest landowners. Fires are so well controlled that over 98 percent of this forest land is free from fire. Less than two per cent burns annually.

The Division of Forestry operates three nurseries for the production of forest trees seedlings for reforesting idle lands. During the 1956-1957 planting season, the nurseries produced and shipped 61 million 1-year forest tree seedlings. Production for the 1957-1958 planting season is presently estimated at 100 million. Since demand continues to [fol. 1136] exceed supply, it is planned to grow at least 125 million trees for the 1958-1959 planting season.

The virgin forests have faded into history. They have been replaced by healthy, vigorous and rapidly growing trees of high quality—Alabama's miracle crop.

WHERE ARE THEY GOING TO SLEEP?

Since we have built and financed over 15,000 homes in the Southeast, we can help managers of new manufacturing plants to develop employee housing.

We will be glad to analyze your requirements to determine the availability and adequacy of housing where you want to locate, and to arrange for new housing of such character, price range and in such quantities and within such time limits as you may specify.

We have located our plant in Alabama; we hope you in Alabama will locate too. When you do, let us take charge of your employee housing needs.

INDUSTRIAL RELOCATION DIVISION
LUMBER FABRICATORS, INC.
Fort Payne, Alabama
MAKERS OF KINGSBERRY HOMES

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

[fol. 1137]

ROOM TO GROW IN ALABAMA

Many business executives of today remember their boyhoods . . . when Mom brought their clothes a little big—to provide "room to grow."

G M & O territory in Alabama provides ample room to grow—all the facilities industry needs for present efficiency and future expansion.

We serve this area well . . . know it well—for Mobile, Alabama, is our home and has been for more than a century.

Inquiries addressed to

T. T. MARTIN, INDUSTRIAL VICE PRESIDENT
MOBILE, ALABAMA. Or to any GM&O Traffic Office will receive prompt attention.

G M & O
GULF, MOBILE & OHIO
RAILROAD

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

[fol. 1138]

NATURAL GAS HELPS INDUSTRIES GROWN IN *ALABAMA*

This map shows Southern Natural Gas Company's pipe line system which delivers each day millions of cubic feet of natural gas to Alabama's cities, towns and industries.

(MAP ATTACHED TO ORIGINAL.)

Within this fast growing area are hundreds of progressive communities with outstanding advantages for industries interested in serving the South. Here your company will find abundant natural resources . . . expanding markets . . . skilled and loyal workers . . . plentiful water . . . an equable year around climate and sound and friendly local governments.

Whether or not you ever expect to use a single foot of gas from our pipe lines, our Company will gladly help you find in Alabama the best location for your plant. We cor-

dially invite you to write us for specific, confidential information. Or better still, come South and let us take you on a personally guided tour of this land of growing opportunity.

SOUTHERN NATURAL GAS COMPANY
Watts Buildings Birmingham 3, Alabama

[fol. 1139]

ALABAMA IS RICH IN INDUSTRIAL POWER FACILITIES

New industries coming to Alabama will find ample supply of industrial power.

Rated generating capacity of all electric power plants in Alabama is 3,856,270 kilowatts. There are 24 electric power plants which in the current fiscal year generated over 27¼ billion kilowatt hours of electricity.

This production came from 14 hydro-electric plants and 10 steam plants. The principal producers are the Alabama Power Company and TVA. In addition there are two co-operative producers, Alabama Electric and Warrior River Electric, which operate five small plants. Total capital investment in electric generating plants in Alabama is approximately $1 billion.

Electric Production

Current use of electricity is about 12 billion kilowatt hours. Of this, approximately a little more than half, or 6.6 billion kilowatt hours, was for industrial and commercial uses. Rates of course, vary, but the average industrial rate is about .52 of a cent per Kwh.

Proposed current development by Alabama Power Company of additional electric generating plants now includes enlargement of Lay Dam and construction of four new dams on the Coosa River to give an added capacity of 421,700 kilowatts; one new dam on the Warrior River and two new generating plants at present Warrior River government navigation dam to give added capacity of 235,000 kilowatts; two stream plants under construction which will give an added capacity of 390,000 kilowatts; and enlarge-

ment of the TVA Widows Creek stream plant to give an added capacity of 500,000 kilowatts, making a total present and proposed generating capacity of 5,402,970 kilowatts.

TVA operates 1,388 miles of transmission lines and Alabama Power Company 5,670 miles, not including distribution lines. Distribution lines in Alabama are in excess of 50,000 miles. Power plant employees in Alabama total about 5,750 people.

The phenomenal growth of the electric power industry [fol. 1140] in Alabama is shown by the generating capacity of the Alabama Power Company in the last 10 years, which has increased 119.6 per cent.

If your plant or factory needs electricity, Alabama has it.

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

IRON AND STEEL INDUSTRY RANKS FIRST IN ALABAMA

As of January 1, 1957, Alabama had a total of 21 iron ore blast furnaces with a total annual capacity of 5,400,340 net tons of iron in July, 1957, pig iron production was 99% of capacity. Coke is a primary product used in smelting iron ore and Alabama has 1,161 coke ovens with an annual capacity of 5,810,500 tons of coke. Alabama has 31 open hearth furnaces with a capacity of 5,001,021 net tons of steel.

Alabama steel products include plats, merchant bars, concrete reinforcing bars, heavy structural shapes, piling, rails, splice bars, tie plate bars, wire rods, blooms, billets, drawn and barbed wire fence, pipe and tubing and other products.

There are approximately 100 Alabama plants engaged in manufacture of primary metals, employing 51,000 people, with total output valued at $801 million—a gain over 1949 of 43%. Output is made up approximately of furnace products 55%, foundry products 18%, smelter products 7%, shapes, etc., 10%.

There are approximately 100 plants engaged in manufacture of fabricated metals, employing 8,000 people, with

total output of $74 million—an increase over 1949 of 30%. [fol. 1141] These include such items as farm machinery, electrical machinery, transportation equipment, including railway freight cars, instruments and miscellaneous products.

No estimate is available of brown ore reserve in Alabama, but the U. S. Department of the Interior in 1953 estimated Alabama's "tentative red ore reserves" to be 2,160,469,000 tons. Proximity of Port of Mobile makes it possible for Alabama steel industry to import annually approximately 2 million tons of high grade iron ore from Venezuela.

Steel is made at the Gadsden, Alabama, plant of the Republic Steel corporation in eight open hearth furnaces and in two electric furnaces at a total rated annual capacity of 1,197,000 tons. These electric furnaces are the South's largest. Over 5,000 employees turn out pig iron, ingots and billets, slabs, blooms, angles and reinforcing plates, solvent naphtha, naphthalene, sulphate, field fence, barb wire, bale ties, staples, bolts and nuts, sheet and sheet roofing and steel pipe.

(TWO PHOTOGRAPHS ATTACHED TO ORIGINAL.)

[fol. 1142]

ALABAMA HAS PLANNED CITIES

City Planning and Industrial Development are active partners in Alabama. For over fifteen years the State of Alabama through its Planning and Industrial Development Board has maintained a staff of people to provide technical help to Alabama cities and towns. The results of city planning are evidenced in many ways, usually in a vigorous, healthy urban community.

In the City of Gadsden, Alabama, dramatic evidence of city planning is seen in its fine civic center which is drawing to completion, also in the new bridge under construction over the Coosa River which divides the city, as well as the Major Traffic Artery which is being constructed on the new location to remove heavy traffic from the downtown area.

In Dothan the four-lane circumferential thoroughfare which completely circumscribes the city, provides excep-

tional advantages in regional shopping, highway commercial trade, and industrial planned areas.

City Planning has meant a great deal to Huntsville, Alabama. Without its beneficial help the impact of Redstone Arsenal might have been disuptive.

Brewton, Alabama, has been receiving planning assistance from the State Planning and Industrial Development Board for over ten years, a determining factor recently in helping to locate there the paper mill of the Container Corporation. Other cities which are being affected by location of large manufacturing plants include Demopolis and Linden, where large paper mills are being constructed.

The Fort Gaines lock and dam on the Chattahooche River will provide opportunities in industrial and recreational development along the eastern side of Alabama. The State Planning and Industrial Development Boars is working with the cities of Eufaula and Phenix City to prepare waterfront plans to realize the full potential of this waterway.

Florence, Sheffield, and Tuscumbia are profiting from manufacturing plants to supply materials for the armed [fol. 1143] forces, located in this section.

Anniston is a comparative newcomer to city planning and the State Board has been working with them for about one year in the development of a Long Range Land Use plan, to provide excellent industrial sites, as well as commercial and residential areas.

The Inter-State Highway network passes through or near a considerable number of Alabama cities and the State Planning and Industrial Development Board is acutely aware of the tremendous potentials of trade, commerce and industrial growth that this "Mainline" highway facility will provide.

Currently 17 cities in Alabama are engaged in planning and carrying out 23 projects involving the elimination of approximately 45,000 slum dwellings located on over 900 acres of blighted land which will be redeveloped for sound use. Over $10,000,000 in Federal funds will contribute to the consummation of these projects. Alabama cities are prone to take advantage of all facilities of the Urban Renewal Administration, including College Housing, School

Construction, Advances for Public Works Planning, Urban Planning Assistance, and Urban Renewal itself. As of September 31, 1957, Federal funds involved in such projects totaled $26,188,881,000.

ALABAMA NOW MAKES MAGNESIUM

Long a producer of heavy metals such as iron and steel, Alabama now has become a producer of industry's lightest metal product—magnesium. The Alabama Metallurgical [fol. 1144] Corporation has just completed construction of a $7 million magnesium plant on a 480-acre site located on the Alabama River, near Selma, Alabama.

Within a proposed one million dollar yearly payroll, the new plant will have a rated annual production capacity of high purity magnesium of 10,000 tons, adding about 15% to U.S. Total magnesium production. The raw material used is Alabama dolomite rock, one of Alabama's greatest natural resources, which when tested was found to be "excellent in all respects" for magnesium production. Other reasons for locating in Alabama, according to Board Chairman E. Howard Perkins of Detroit, were "(1) mild climate which lowers construction costs and permits uniform operation conditions, (2) low cost fuel in the form of natural gas, (3) a large supply of available labor and (4) prospect of the Alabama River being made navigable to that point in the future."

The use of magnesium in industry is increasing rapidly. It is the lightest structural material, weighing only about two-thirds as much as aluminum. It is silvery white in color. Magnesium is used in production of airborne and other portable equipment, aircraft, electronics; also as a reducing agent in metallurgical processes, including reduction of uranium, titanium and zirconium; also as a coating to give cathodic protection for other metals such as iron and steel.

SHIPBUILDING AND REPAIR

Mobile has two shipbuilding and ship repair plants—Mobile Ship Repair Company and Alabama Dry Docks and Shipbuilding Company. At Birmingham and Sheffield is

the fabricating plant of Ingalls Iron Works, one of the largest shipbuilding companies in the country.

The 314-acre Mobile shipyard of Alabama Dry Docks and Shipbuilding Company employs around 4,000 ship mechanics and laborers in its current construction and repair program. Six drydocks have been steadily engaged over the past two years with one of the heaviest work loads the firm has ever experienced. New construction includes "jumboizing" two T-2 tankers, building a series of giant off-shore oil-drilling barges—building standard and spe- [fol. 1145] cially designed barges, tenders, towboats and all types of floating equipment.

TWELVE years ago the OLEN COMPANY established its headquarters in Mobile, Alabama. It consisted of two junior department stores with great hopes of growth because of the many resources of material, manpower and markets in this area.

TODAY the OLEN COMPANY consists of 119 junior department stores in eight states in the South. It is one of the largest chains in its area and has been eminently successful in serving the people of its communities. Our obligation is to continue to serve the growing consumer market that has resulted from Alabama's tremendous industrial progress.

ALABAMA is our headquarters and our home—and as it moves forward to greater prominence among the states of our nation, we will continue to contribute in full measure to the expanding horizons.

THE OLEN COMPANY, INC.
Mobile, Alabama

SERVING THE HEART OF THE SOUTH

ALABAMA INDUSTRIAL BOARD SEES PROMISING OUTLOOK

Alabama's past industrial development has been great, her present industrial development is flourishing, but her

future industrial development prospects stretch even a vivid imagination.

In the first 7 months of 1957, 58 new manufacturing plants and warehouses were built in Alabama and 47 existing plants expanded their operations.

Alabama is the geographical heart of the South, where exist in plentiful supply the basic things which industry needs—the factors which give an industrial operation a new profit commensurate with its activities. Diversified natural resources of the South equal or excell any other [fol. 1146] region in the United States. From Nature's storeroom the South offers 70% of the nation's petroleum, 80% of all natural gas, 61% of navigable waterways, 35% of all potential water power east of the Rocky mountains, 22% of all the coal, 75% of all the graphite, 40% of all the phosphate rock, 100% of all bauxite, and an ample supply of surface and underground water.

In all the South, Alabama ranks first in production of primary metals with an increase 1939-1956 of 435% as compared with an U.S. increase of 357% for the same period. Alabama ranks first in the South in production of durable goods, with a 1936-1956 increase of 517%, compared with the U. S. increase of 527%. Alabama's increase of 527% in all manufacturing in 1939-1956 in production of non-durable goods was 489%.

The most reliable criterion of the future is the past. Alabama's total business volume (GAP—Gross Alabama Profit) increased 439% from 1939 through 1955, it was $1,934 million in 1939 and increased to $10,426 million in 1955.

Recognized experts in industrial development forecast for the five-year period of 1957-1961, location in Alabama of 165 new industrial and manufacturing plants, at an investment of over $801 millions with an annual payroll that will exceed $152 million per year.

A $7 million magnesium plant has just been built in central Alabama. It will have a payroll of $1 million yearly. An Alabama-Mississippi Compact has been organized to promote the Tennessee-Tombigbee Waterway, linking the port of Mobile with the inland ports of the Mid-West as far north as Cincinnati, Pittsburgh, Chicago and Minneapolis. Five new hydroelectric dams with an ultimate ca-

pacity of 421,700 Kw are approved for construction as soon as possible on the Coosa River.

Alabama's industrial future looks brighter then ever before. Come and grow with us.

[fol. 1146a] Reporter's and Clerks' Certificate to foregoing exhibits (omitted in printing).

[fol. 1147]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 273 (Continued)

HERE ARE SOME OF THE NATIONALLY KNOWN INDUSTRIES WITH MAJOR OPERATIONS IN ALABAMA—GOOD COMPANY FOR ANY INDUSTRY, LARGE OR SMALL

American Brake Shoe Company
American Cast Iron Pipe Company
Avondale Mills
Barrett Division, Allied Chemical and Dye Corporation
Cone Mills Corporation, Dwight Division
Container Corporation of America
Courtaulds (Alabama) Inc.
E. I. DuPont de Nemours and Company
Geigy Chemical Corporation
General Electric Company
B. F. Goodrich Tire Company
The Goodyear Tire & Rubber Company
Hercules Powder Company
International Paper Company, Southern Kraft Division
Kimberly-Clark Corporation, operating the Coosa River Newsprint Company
Marathon Southern Corporation
Minnesota Mining and Manufacturing Company
Monsonto Chemical Company
National Cement Company
National Gypsum Company

Olin Mathieson Chemical Corporation
H. K. Porter Company, Inc. Connors Steel Division
Refractories Division
Pepperell Manufacturing Company
Pullman Standard Car Manufacturing Company
Republic Steel Corporation
Russell Manufacturing Company
Scott Paper Company, Hollingsworth and Whitney Division
U. S. Pipe and Foundry Company
United States Steel Corporation, Tennessee Coal and Iron Division
Universal Atlas Cement Company
[fol. 1148] Westinghouse Electric Corporation
West Point Manufacturing Company

They and many others, in Alabama and nearby states provide a large market for many products—industrial, commercial and consumer. Why are these and other industries located in Alabama? There are a variety of reasons. Among the principal ones are—

A diversity of natural resources; an abundance of fresh water; accessibility to large segments of the national market via railway, highway, waterway and airway; excellent port facilities for export and import; a worker pool unexcelled in adaptability to new skills and processes.

Our new Industries Department gladly will supply specifics which may be helpful to you in reaching a decision to establish a manufacturing, sales or distributing operation in Alabama. You may inquire directly or through your plant location counsel. In either event all communications and discussions will be confidential.

Even though your interest is merely exploratory, we'll be glad to hear from you.

YOU'RE IN GOOD COMPANY
WHEN YOUR PLANT'S IN ALABAMA

New Industries Department

ALABAMA POWER COMPANY
Birmingham, Alabama

(TWO PHOTOGRAPHS ATTACHED TO ORIGINAL.)

[fol. 1149]

41 YEARS SERVING SHIP OWNERS'

Ship Builders
Drydocking
(six drydocks up to 18,500 tons lifting capacity)
Ship Repairs
Jumboizing
Barge Building & Repairs
Drilling Rigs

ALABAMA DRY DOCK AND
SHIPBUILDING COMPANY
PORT OF MOBILE (U. S. A.)
Cable Address: P.O. Box 190 HE 2-8821

OFFERING A HELPING HAND IN
BUSINESS SINCE 1889

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

THE FIRST NATIONAL BANK OF FLORENCE

Florence extends a cordial invitation to look over our community. As the leading financial institution in our area, we are prepared to offer every assistance to anyone considering the Florence area as an industrial site.

Our extensive knowledge of local conditions and our complete banking and trust facilities are at your disposal.

THE FIRST NATIONAL BANK OF FLORENCE
FLORENCE, ALABAMA
ORGANIZED 1889
MEMBER FEDERAL DEPOSIT
INSURANCE CORPORATION

[fol. 1150]

ALABAMA TEXTILE INDUSTRY GROWING

Textile manufacturing is Alabama's largest non-durable goods industry. In spite of the boll weevil and the fact that Alabama has changed from an agricultural to an industrial economy, Alabama's cotton production and consumption by

Alabama textile mills has almost doubled in the last 30 years.

Alabama now has 111 textile manufacturing establishments, which employ 48,000 people, with an annual payroll of $109 million, and ranks fourth in the United States in textile production. The industry's annual income is $222 million and its annual output is valued at $496 million. The annual production of Alabama's textile industry is more than double the annual output of the State's food industry, its nearest non-durable goods competitor.

Approximately 32% of Alabama's harvested cropland is used for cotton growing, with a 1956 annual yield of 371 pounds of cotton lint per acre. The total farm production of cotton in 1956 was approximately 750,000 bales, valued at approximately $123 million.

Alabama grows cotton, spins cotton and exports cotton through the port of Mobile. However, the Alabama textile industry, both fabric and garmet, is concerned about foreign competition during recent years from imported textile goods. Textile industry leaders in Alabama have of this time organized to correct this United States foreign trade policy by restricting imports to products American needs. Importing textiles just because America exports cotton, permits unfair competition from foreign countries which have lower standards of living and lower wage levels than the standard of wages in the United States.

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

[fol. 1151]

ALABAMA AGRICULTURE HELPED BY INDUSTRIAL EXPANSION

Agriculture is not considered an industrial operation, but agricultural products are the basic raw materials of many Alabama industries. Due to mechanization of Alabama farms and the transition from cotton to livestock, more Alabama workers are available for industrial employment.

There are 175,956 farms in Alabama valued at an average of $6,208 per farm. Estimated total farm production in

1956 was valued at well over $545 million. Farmers and their employees exceed 302,000. They operate 65,175 tractors and 83,371 automobiles. Over 155 thousand farms have electricity, more than 28 thousand have telephones, 68 thousand have running water piped into the house.

Livestock as of January 1, 1957 included 1,816,000 cattle, 1 million hogs, 77,000 sheep, 140,000 horses and mules. Cattle production in 1956 was 431,805,000 pounds with cash receipts therefrom estimated at more than $54 million. Estimated cash receipts for hogs was $35 million, sheep $971 thousand, milk over $33 million.

Commercial broiler production perhaps is the fastest growing phase of Alabama agriculture. There were over 82 million broilers produced in Alabama in 1955, ranking Alabama sixth in broiler production in the United States. Alabama ranked ninth in 1954. The increase in the past 10 years has been 1,264%. Total 1956 production was 254,464,000 pounds, the average price 18.7 cents per pound, giving a gross income of $47½ million.

Alabama's principal 1956 crops were cotton (750,000 bales), corn (57 million bushels), peanuts (225 million lbs.), hay, soybeans, Irish potatoes, sweet potatoes, pecans.

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

[fol. 1152]

ALABAMA FERTILE RETAIL FIELD

With an increased per capita income, Alabama retail sales have shown a large increase in the past several years. One of the most interesting retail developments has been the establishment of a chain of stores in small Alabama towns by The Olen Company. Within twelve years The Olen Company, has expanded until it now successfully operates 110 self-service stores in Alabama and adjoining states, with headquarters in Mobile. Chiefly located within cities having a population of 5 to 25 thousand, The Olen Company concentrates on general merchandise within price ranges that will attract the largest number of customers.

INDUSTRIAL ADVERTISING "SINCE 1928"

YOU MAKE IT—
WE'LL HELP YOU SELL IT!
SILVER & DOUCE COMPANY, INC.
(Local, Regional and National Advertising and Public Relations)
1316 Brown-Marx Building Tel. Aupine 1-1191
Birmingham, Alabama

MONTGOMERY . . . a growing community with many advantages for the location of manufacturing sites and distribution outlets . . . for additional information write the

MEN OF MONTGOMERY
INDUSTRIAL DIVISION
of
montgomery chamber of commerce

[fol. 1153]

ALABAMA DRAWS INDUSTRY LIKE A MAGNET

Labor, Agriculture, Airways, Climate, Electric Power, Highways, Minerals, Petroleum, Railroads, Timber, Waterways, Water-Domestic, Water-Industrial,

ALABAMA—the "Industrial Area" of the new South—has changed from an agricultural to an industrial economy.

In Alabama, all of the vital plant-location factors are available: Markets, labor force, raw materials, power, industrial water, transportation, navigable waterways, low taxes, climate, community cooperation, ideal "Business Climate."

Today the South leads the Nation in over-all manufacturing expansion. In 1956, 1,060 new manufacturing plants were built in the South—approximately 3 plants per day! Industrial experts predict that the South will build 10,000 new factories by 1965 and will then have 30 per cent of the Nation's manufacturing industry.

1957 PER CAPITA INCOME GAIN LEADS NATION

Alabama geographically is the heart of the South, and the amazing economic growth of the South, plus Alabama's own natural resources, has placed Alabama in the front of Southern industrial expansion. In 1957 Alabama lead the Nation with estimated annual income gain over 1956 at 6.6 per cent. From 1939 through 1955, Alabama's annual volume of industrial and commercial enterprise increased over 500%.

Alabama's natural resources include great deposits of iron ore, coal and limestone; abundant water supply, hydroelectric power, natural gas, ideal climate; the best inland waterways system in the U.S., the modern port of Mobile; State docks, modern highways, airways and railroads. Alabama is the heavy industry State of the South with blast furnaces, foundries and steel mills. Alabama is rich in productive farms and livestock ranches, and is the South's foremost timber region, producing lumber and wood pulp.

ASK FOR DETAIL INFORMATION

Our industrial development experts and technicians will be glad to give you basic information regarding Alabama's [fol. 1154] industrial potentials, community financing, buildings and sites (including many locations now available on navigable Alabama rivers). Inquiries invited and handled in strict confidence.

Write, telegraph or telephone

ALABAMA STATE PLANNING AND
INDUSTRIAL DEVELOPMENT BOARD

Pleas Looney, Director James E. Folsom, Governor
State Capitol, Montgomery, Alabama

(DRAWINGS ATTACHED TO ORIGINAL.)

[fol. 1155] GROWING WITH ALABAMA

Acrilan production at this Chemstrand Decatur plant has moved steadily forward with Alabama's own industrial growth. As a result of establishing new standards of qual-

ity in man-made fibers, Acrilan, the acrylic fibre by Chemstrand, is being widely and successfully used in an ever-broadening range of products . . . from the softest jersey fabrics for women's fashions to luxurious carpeting of unequalled resilience.

ACRILAN

(ONE PHOTOGRAPH ATTACHED TO ORIGINAL.)

[fol. 1156]

LOCATE IN NORTH ALABAMA AND YOU'LL FIND PEOPLE, POWER, TRANSPORTATION AND NATURAL RESOURCES IN THE TENNESSEE RIVER VALLEY

You'll find a wealth of industrial advantages in North Alabama. Personnel, for example. Just recently a plant locating here needed 300 employees to complete the staff. They received 3,800 applications from alert, adaptable people who are proud of owning homes and who like steady jobs. North Alabama is scientific minded, too. This section contains the greatest concentration of private and governmental research facilities in the entire Southeast.

Many choice industrial sites are still available along the Tennessee River. Here you have a minimum 9 foot channel, connecting into the entire Inland Waterways System of the United States. Two main line railroads, the Southern Railway System and the Louisville and Nashville, serve the area. And you have two top airlines: Eastern and Capital.

Power is here to meet whatever needs you have. You will enjoy very favorable rates, with a capacity of over 10 million kw. If you need coal, you can get it delivered here at 21¢ per million btu's.

Taxes in North Alabama are scheduled to favor new industry, and this policy applies to state, county and local assessment structures. Truly, here is a region that offers a rare combination of fine locations considerations for industries concerned with electronics, electrochemicals, cement, grain elevators, feed mills, sub-assemblies, toys, boat building, furniture and metals . . . and many others.

NORTH ALABAMA GIVES YOU ALL OF THESE ADVANTAGES

Abundant source of adaptable, industrious personnel.

Tennessee River sites affording connection into entire U. S. Inland Waterways System.

Low Tax structure with special inducements to new industries.

Plentiful electric power at ideal, economical rates.

Highest concentration of research facilities in the Southeast.

[fol. 1157] Smooth running school system with high standards of scholarship.

Coal available, delivered, at 21¢ per million btu's.

Served by five mainline railroads; Southern and L&N; and by two airlines: Eastern and Capital.

Finest machine shop facilities in the Southeast.

Top recreational facilities, water sports, boating, fishing, hunting, year around golf.

Healthful and delightful climate.

For specific answers to your questions and for special studies to fit your individual needs, address: T. D. JOHNSON, DIRECTOR

NORTH ALABAMA ASSOCIATES
Decatur, Alabama

(ONE DRAWING ATTACHED TO ORIGINAL.)

[fol. 1158]

THESE NATIONALLY KNOWN COMPANIES HAVE LOCATED IN NORTH ALABAMA

Alabama Flour—Allied Mills
John Blue—Burlington
Calumet & Hecla—Chemstrand
Decatur Iron & Steel
Diamond Alkali—Flagg-Utica
Ford Motor—Fruehauf
General Aniline—General Shoe
Goodyear—Ingalls Shipbuilding

Julius Kayser
King Edward Cigars
M. Lowenstein & Sons
Lumber Fabricators
P. R. Mallory
Mallory-Schwarzkopf
Martin Stamping
National Distillers—Norton
National Pool Equipment
Olin Mathieson—Quaker Oats
Ralston—Purina
Reynolds Metals
Robbins Floor Products
Rohm & Haas
Southern Sash
Stylon—Thiokol
Union Carbide & Carbon
Worthington

[fol. 1159]
THE NEW YORK TIMES FEBRUARY 2, 1958
SECTION 10

Advertisement

A REPORT ON ALABAMA FOR INDUSTRIAL EXECUTIVES

(PHOTOGRAPHS ATTACHED TO ORIGINAL)

[fol. 1160]
In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 274

THE NEW YORK TIMES
TIMES SQUARE NEW YORK 16 N.Y.

LAckawanna 4-1000

September 9, 1957

Mr. Ralph Silver
Silver & Douce Co., Inc.
1316-18 Brown-Marx Bldg.
Birmingham, Alabama

Dear Mr. Silver:

This will serve as a memorandum describing generally the terms and conditions under which we agree to pay your advertising agency Silver & Douce Company, Inc., for assistance in connection with the publication of a special advertising rotogravure section (New York Times Magazine size) for the State of Alabama on Sunday, February 2, 1958.

1. Providing that the sale of acceptable advertising is sufficient to finance a rotogravure section for the State of Alabama and that the section is published as part of The New York Times on Sunday, February 2, 1958 (minimum size 16 pages), The New York Times agrees to pay a fee of $2,000 to Silver & Douce Company, Inc. Silver & Douce Company, Inc. will furnish The New York Times with all of the necessary reading matter and reading matter layouts, photographs and art work, and will assist generally in the sale of advertising for this section. This sum also includes compensation (travel and living expenses) for a trip to New York for a period of at least three days in order to handle the final editing, make-up adjustments, etc., when the section is ready for release to the printer. Subject to change, this supplement will be made ready during the period of Monday, December 16, through Wednesday, December 18.

2. Silver & Douce Company, Inc. agrees to deliver all material ready for processing on or before Monday, December 9, 1957.

3. Since this section is to be printed in rotogravure, [fol. 1161] there will be no engraving charges. However, it is imperative that we receive original art work and complete pencil layouts for all pages, whether they contain regular advertising, reading matter, or a combination of both. Original manuscript copy of the reading matter received by us not later than November 25 can be set in type and returned to you by December 2, which can be used as a guide when preparing the layouts.

4. All layouts should occupy space areas as shown below:

Full page announcements	—	170 lines by 9 3/4 inches
1-column announcements	—	170 lines by 13/16 inches
2-column advertisements	—	170 lines by 3 13/16 inches
3-column advertisements	—	170 lines by 5 3/4 inches
4-column advertisements	—	170 lines by 7 3/4 inches
1/2 page vertical	—	85 lines by 9 3/4 inches

5. The cost of an all-advertising 16 page section printed in rotogravure is approximately $44,000. If color is used, $710 must be added for each color unit and a minimum of 6 color units must be utilized. In order to provide a "cushion" to cover possible unforeseen expenses, such as retouching a photograph, art work, etc., we suggest an estimated total price of $45,000 for a 16-page black and white section.

6. On the basis of approximately one-third reading matter to two-thirds advertising, this would mean, for a 16 page section (a total of 80 columns), 28 columns devoted to reading matter and 52 columns devoted to display advertising. Since the advertiser pays for the cost of his regular advertising plus a pro-rata for the reading matter, this would mean that the 52 columns of regular advertising would carry the cost of the entire section.

On this basis each column advertisement, including the pro-rate for the reading matter, would cost $900, or $4,500 per page.

Costs for various sized units:

Full page — 850 lines (170 lines by 5 columns)	$4500
3/5 page — 510 lines (170 lines by 3 columns)	2700
[fol. 1162] Half page — 425 lines (85 lines by 5 columns)	2250
Full column — 170 lines (170 lines by 1 column)	900
Half column — 85 lines (85 lines by 1 column)	450

If a participating advertiser has a contract with The New York Times, he will be allowed his contract rate for his display advertising. Reading matter charged to his will be computed at the open rate.

7. In the event the volume of advertising sold justified a section of 20 pages, the cost per unit of advertising as shown above will remain the same. This assumes the same proportion of reading matter and display advertising as described above.

8. All conditions and special requirements outlined in the enclosed Rate Card No. 64 will apply for all advertising carried in this section.

9. It is agreed that you will keep us regularly advised of developments in connection with the State of Alabama section.

Your signature at the bottom of both the original and duplicate of this letter will serve as an indication of general agreement. Please return both copies at your earliest convenience. The duplicate will then be returned to you, countersigned, for your files.

ACCEPTED:

SILVER & DOUCE COMPANY, INC.

/s/ RALPH SILVER

THE NEW YORK TIMES COMPANY

/s/ JOSEPH B. WAGNER
Joseph B. Wagner
Assistant National Advertising Manager

[fol. 1163]

In Circuit Court of Montgomery County, Alabama

Plaintiff's Exhibit No. 275

"The growing movement of peaceful mass demonstrations by Negroes is something new in the South, something understandable. . . . Let Congress heed their rising voices for they will be heard."

—New York Times editorial
Saturday, March 19, 1960

HEED THEIR RISING VOICES

As the whole world knows by now, thousands of Southern Negro students are engaged in widespread non-violent demonstrations in positive affirmation of the right to live in human dignity as guaranteed by the U. S. Constitution and the Bill of Rights. In their efforts to uphold these guarantees, they are being met by an unprecedented wave of terror by those who would deny and negate that document which the whole world looks upon as setting the pattern for modern freedom. . . .

In Orangeburg, South Carolina, when 400 students peacefully sought to buy doughnuts and coffee at lunch counters in the business district, they were forcibly ejected, tear-gassed, soaked to the skin in freezing weather with fire hoses, arrested en masse and herded into an open barbed-wire stockade to stand for hours in the bitter cold.

In Montgomery, Alabama, after students sang "My Country, 'Tis of Thee" on the State Capitol steps, their leaders were expelled from school, and truck loads of police armed with shotguns and tear-gas ringed the Alabama State College Campus. When the entire student body protested to state authorities by refusing to re-register, their dining hall was padlocked in an attempt to starve them into submission.

In Tallahassee, Atlanta, Nashville, Savannah, Greensboro, Memphis, Richmond, Charlotte, and a host of other cities in the South, young American teenagers, in face of the entire weight of official state apparatus and police

power, have boldly stepped forth as protagonists of democracy. Their courage and amazing restraint have inspired [fol. 1164] millions and given a new dignity to the cause of freedom.

Small wonder that the Southern violators of the Constitution fear this new, non-violent brand of freedom fighter—even as they fear the upswelling right-to-vote movement. Small wonder they are determined to destroy the one man who, more than any other, symbolizes the new spirit now sweeping the South—the Rev. Dr. Martin Luther King, Jr., world-famous leader of the Montgomery Bus Boycott. For it is his doctrine of non-violence which has inspired and guided the students in their widening wave of sit-ins; and it is this same Dr. King who founded and is president of the Southern Christian Leadership Conference—the organization which is spearheading the surging right-to-vote movement. Under Dr. King's direction the Leadership Conference conducts Student Workshops and Seminars in the philosophy and technique of non-violent resistance.

Again and again the Southern violators have answered Dr. King's peaceful protests with intimidation and violence. They have bombed his home almost killing his wife and child. They have assaulted his person. They have arrested him seven times—for "speeding," "loitering" and similar "offenses." And now they have charged him with "perjury"—a *felony* under which they could imprison him for *ten years*. Obviously, their real purpose is to remove him physically as the leader to whom the students and millions of others—look for guidance and support, and thereby to intimidate all leaders who may rise in the South. Their strategy is to behead this affirmative movement, and thus to demoralize Negro Americans and weaken their will to struggle. The defense of Martin Luther King, spiritual leader of the student sit-in movement, clearly, therefore, is an integral part of the total struggle for freedom in the South.

Decent minded Americans cannot help but applaud the creative daring of the students and the quiet heroism of Dr. King. But this is one of those moments in the stormy history of Freedom when men and women of good will

must do more than applaud the rising-to-glory of others. The America whose good name hangs in the balance before a watchful world, the America whose heritage of Liberty [fol. 1165] these Southern Upholders of the Constitution are defending, is *our* America as well as theirs. . . .

We must heed their rising voices—yes—but we must add our own.

We must extend ourselves above and beyond moral support and render the material help so urgently needed by those who are taking the risks, facing jail, and even death in a glorious re-affirmation of our Constitution and its Bill of Rights.

We urge you to join hands with our fellow Americans in the South by supporting, with your dollars, this Combined Appeal for all three needs—the defense of Martin Luther King—the support of the embattled students—and the struggle for the right-to-vote.

YOUR HELP IS URGENTLY NEEDED . . . NOW!

Stella Adler
Raymond Pace Alexander
Harry Van Arsdale
Harry Belafonte
Julie Belafonte
Dr. Algenon Black
Marc Blitzteim
William Bracnh
Marlon Brando
Mrs. Ralph Bunche
Anthony Franciosa
Lorrane-Hansbury
Rev. Donald Harrington
Nat Hentoff
James Hicks
Mary Hinkson
Van Heflin
Langston Hughes
Morris Iushewitz
Mahalia Jackson
Mordecai Johnson
Dr. Alan Knight Chalmers
Richard Coe
Nat King Cole
Cheryl Crawford
Dorothy Dandridge
Ossie Davis
Sammy Davis, Jr.
Ruby Dee
Dr. Phillip Elliott
Dr. Harry Emerson Fosdick
John Kliens
Eartha Kitt
Rabbi Edward Klein
Hope Lange
John Lewis
Viveca Lindfors
Carl Murphy
Don Murray
John Murray
A. J. Muste
Frederick O'Neal

[fol. 1166]

L. Joseph Overton
Clarence Pickett
Shad Polier
Sidney Poitier
A Philip Randolph
John Raitt
Elmer Taylor
Jackie Robison
Mrs. Eleanor Roosevelt
Bayard Rustin
Robert Ryan
Maureen Stapleton
Frank Silvers
Hope Stevens
George Tabori
Rev. Gardner C. Taylor
Norman Thomas
Kenneth Robinson
Charles White
Shelley Winters
Max Youngstein

WE IN THE SOUTH WHO ARE STRUGGLING DAILY FOR DIGNITY AND FREEDOM WARMLY ENDORSE THIS APPEAL

Rev. Ralph D. Abernathy (Montgomery, Ala.)
Rev. Fred L. Shuttlesworth (Birmingham, Ala.)
Rev. Kelley Miller Smith (Nashville, Tenn.)
Rev. W. A. Dennis (Chattanooga, Tenn.)
Rev. C. K. Steele (Tallahassee, Fla.)
Rev. Matthew D. McCollom (Orangeburg, S. C.)
Rev. William Holmes Borders (Atlanta, Ga.)
Rev. Douglas Moore (Durham, N. D.)
Rev. Wyatt Tee Walker (Petersburg, Va.)
Rev. Walter L. Hamilton (Norfolk, Va.)
I. S. Levy (Columbia, S. C.)
Rev. Martin Luther King, Sr. (Atlanta, Ga.)
Rev. Henry C. Bunton (Memphis, Tenn.)
Rev. S. S. Seay, Sr. (Montgomery, Ala.)
Rev. Samuel W. Williams (Atlanta, Ga.)
Rev. A. L. Davis (New Orleans, La.)
Mrs. Katie E. Whicham (New Orleans, La.)
Rev. W. H. Hall (Hattiesburg, Miss.)
Rev. J. E. Lowery (Mobile, Ala.)
Rev. T. J. Jemison (Baton Rouge, La.)

[fol. 1167]

COMMITTEE TO DEFEND MARTIN LUTHER KING
AND THE STRUGGLE FOR FREEDOM
IN THE SOUTH
312 West 125 Street, New York 27, N. Y.
UNiversity 6-1700

Chairmen: A Phillip Randolph, Dr. Gardner C. Taylor; *Chairmen of Cultural Division*: Harry Belafonte, Sidney Poitier; *Treasurer*: Nat King Cole; *Executive Director*: Bayard Rustin; *Chairmen of Church Division*: Father George B. Ford, Rev. Harry Emerson Fosdick, Rev. Thomas Kilgore, Jr., Rabbi Edward E. Klein; *Chairmen of Labor Division*: Morris Iushewitz

PLEASE MAIL THIS COUPON TODAY!

Committee to Defend Martin Luther King
and
The Struggle for Freedom in the South
312 West 125 Street, New York 27, N.Y.
UNiversity 6-1700

I am enclosing my contribution of $_____
for the work of the Committee.

Name _____
(Please Print)

Address _____

City _____ Zone _____ State _____

_____ I want to help _____ Please send further information

PLEASE MAKE CHECKS PAYABLE TO:

COMMITTEE TO DEFEND MARTIN LUTHER KING

DAILY ☐ REPORT _____ DEPOSIT _____

CHARGES			CREDITS		BALANCE		CHARGES			CREDITS		BALANCE
DAILY		TOTAL	ALLOWANCES	CASH			DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
						APRIL						
						MAY						
						JUNE						

Alden Tuskegee Institute Institute Newsstand P O Box 97

1168

[fol. 11168]

PLAINTIFF'S EXHIBIT No. 276

F103B

The New York Times

TRANSFER VOUCHER MEMORANDUM

Date 4/4 19 60

Dr. Advertising Ledger (Unapplied)

Cr. Circulation Col. Ledger . 8

Payment received From:	
Tuskegee Institute Tuskegee Institute, Alabama Received 3/29/60	37.50

Issued by Joseph J. Kreamer Approved _____ Audited _____

Received by _____ Approved _____ Audited _____

Tuskegee Institute

OFFICE OF THE BUSINESS MANAGER
TUSKEGEE INSTITUTE
ALABAMA

YOUR NUMBER	OUR NUMBER	DATE PAID	GROSS AMOUNT	DISCOUNT	NET AMOUNT
	3 14	3 14	3750		

VENDOR NO. 3 14 C

3750

AMOUNT OF CHECK

TRANS. TUSKEGEE INSTITUTE

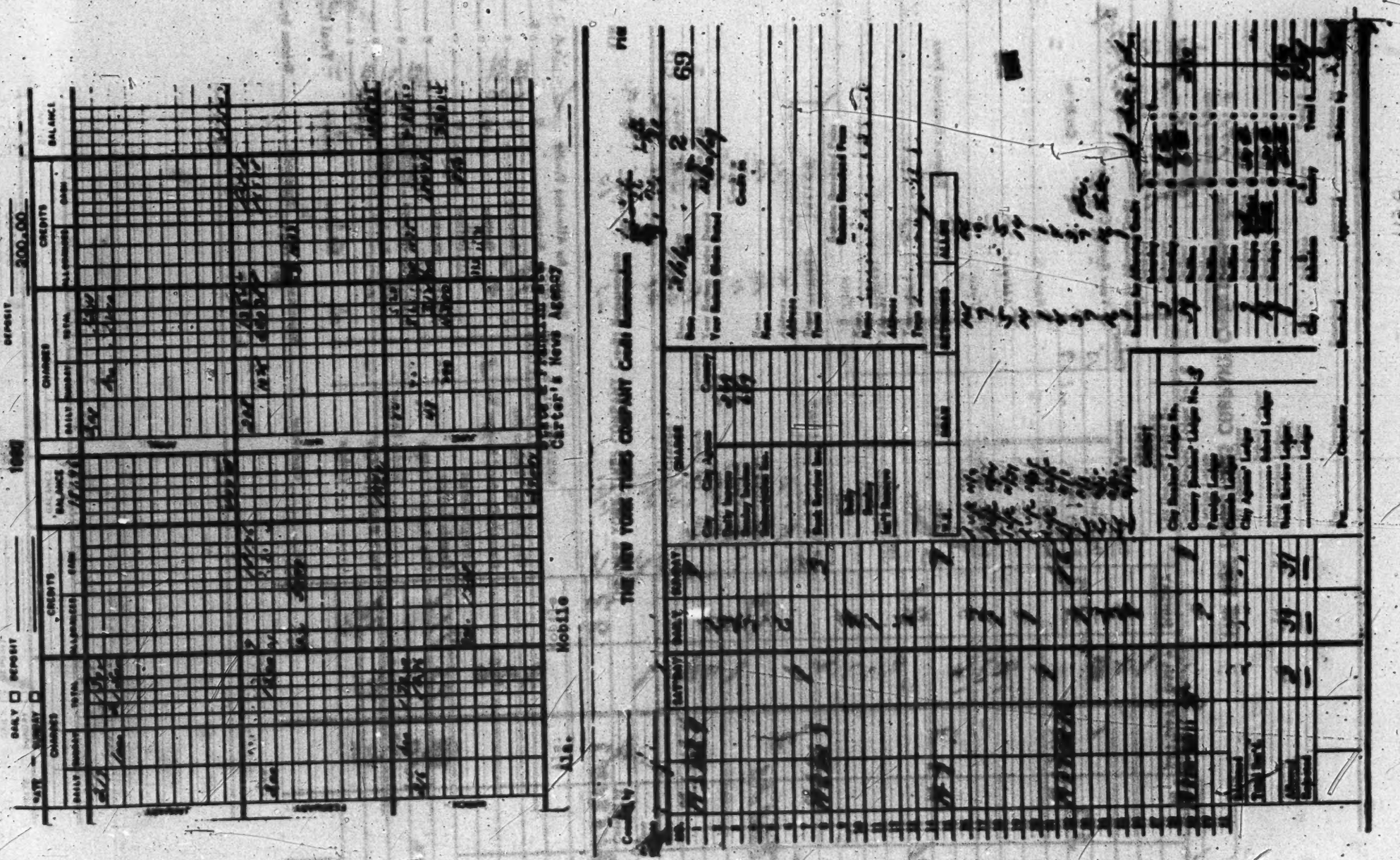
TUSKEGEE INSTITUTE, ALABAMA

DETACH THIS STUB BEFORE CASHING CHECK

1752
[Vol. 1169]

[fol. 1170]

PLAINTIFF'S EXHIBIT No. 277



THE NEW YORK TIMES COMPANY Credit Memorandum

F185

No.			SAT'DAY	DAILY	SUNDAY
1					
2					
3					
4					
5					
6					
7					
8					
9					
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11					
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22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
Received					
Total Rec'd.					
Allowed					
Rejected					

CHARGE		
City	City Agents	Country
Daily Insertions		
Sunday Insertions		
Subscription Inc.		
Book Review Inc.		
Daily		
Sunday		
Int'l Reserve		

Date [illegible] No. 20 '70

Your Result Claim Dated [illegible]

Credit to

Name

Address

Town

Returns Received From

Name

Address

Town

W.E.	DRAY	RETURNED	ALLOW
[illegible]	[illegible]		
[illegible]	[illegible]		
[illegible]	[illegible]		
[illegible]	[illegible]		
[illegible]	[illegible]		
[illegible]	[illegible]		
[illegible]	[illegible]		
[illegible]	[illegible]		
[illegible]	[illegible]		
[illegible]	[illegible]		

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit [illegible]

	Saturday			
	Saturday			
	Sunday			
	Daily			
	Daily			
	Sunday			
	Sunday			

City	Suburban	Country	Total

Per Checked Examined Approved Return by

1754
[Vol. 1171]

1171

THE NEW YORK TIMES COMPANY

NO.			SAT'DAY	DAILY	SUNDAY
1					
2					
3					
4					
5					
6					
7					
8					
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20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
Issues					
Total Sold					
Allowed					
Rejected					

CHARGE		
City	City Agents	Country
Daily Issues		
Sunday Issues		
Subscription Inc.		
Book Review Inc.		
Daily		
Sunday		
Int'l Reviews		

W.E.	DRAW	RETURNED	ALLOW

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Date 1-11-71

Town Dealer Order Dated 11-24-70.

Credit to

Name

Address

Town

Name CARTERS

Address

Town MOBILE, ALA.

Reason for Allowing Credit

	Daily			
	Sunday			
	Daily			
	Sunday			
	Daily			
	Sunday			

City Dealers Country Total

Per Checked Examined Approved Entered by

[Fol. 1172]

1172

THE NEW YORK TIMES COMPANY Credit Memorandum

F185

4/27/60 JAN

NO.		SAT'DAY	DAILY	SUNDAY
1				
2				
3				
4				
5				
6				
7				
8				
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11				
12				
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16				
17				
18				
19				
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21				
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				
Returns				
Total Ret'd.				
Allowed				
Rejected				

CHARGE			
City	City Agents	Country	
Daily Income			
Sunday Income			
Subscription Inc.			
Book Review Inc.			
Daily			
Sunday			
Int'l Reports			

Date 4/30 3 3:8

Your Return Claim Dated 4/

Credit to

Name

Address

Town

Returns Received From

Name CARTER NEWS AGY

Address

Town MERRILL ALABAMA

U.S.	DRAW	RETURNED	ALLOW

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reasons for Allowance

	Saturday		
	Saturday		
	Daillies		
	Daillies		
	Daillies		
	Sundays		
	Sundays		

City Subscription Country Total $

Per Checked Examined Approved Entered by

17956 [Vol. 1173]

1173

THE NEW YORK TIMES COMPANY Credit Memorandum

F155

NO.			SAT'DAY	DAILY	SUNDAY
1					
2				2	
3				2	
4					
5					
6					1
7					
8				3	
9					
10				2	
11					
12			1		
13				1	1
14					
15				1	
16				2	
17					
18					
19					
20					1
21				3	
22				3	
23					
24				3	
25					
26			1		
27					1
28					
29				2	
30					
31					
	Returns		2	17	4
	Total Rec'd.				
	Allowed		2	17	4
	Rejected				

CHARGE

City	City Agents	County
Daily Income		
Sunday Income		
Subscription Inc.		
Book Review Inc.		
Daily		
Sunday		
Int'l Reserve		

Date

Your Return Claim Dated

Credit to

Name

Address

Form

Returns Received From

Name CARTER'S DRUG CO.

Address

Town MOBILE, ALA.

W.E.	DRAW	RETURNED	ALLOW
1/6	4	3	3
1/6	4	3	3
1/6	3	2	2
1/6	2	1	1
1/6	4	2	2
1/6	8	7	7
1/6	6	5	5
1/6	2	1	1
1/6	3	2	2

CREDIT

City Dealers' Ledger No.	
County Dealers' Ledger No.	9
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
School Ledger	
Book Review Ledger	
Ledger	9

Reasons for Allowing Credit

	Saturday			
6	Saturday			
29	Dailies			1.17
	Dailies			
	Dailies			
16	Sundays			2.00
	Sundays			
	City	Suburban	County	Total 3.17

Per Checked Received Approved Entered by

[Col. 11743]

1174

Counted by _____

Date 3/2/16.

THE NEW YORK TIMES COMPANY Credit Memorandum

F126

MO.			SAT'DAY	DAILY	SUNDAY
1				1	
2				1	
3				1	
4				1	
5				1	
6					
7	[illegible]		1		2
8					
9					
10				1	
11					
12				1	
13					
14	[illegible]				3
15					
16				1	
17					
18				2	
19					
20					
21	[illegible]				1
22					
23					
24				2	
25					
26				2	
27			1		
28	[illegible]				10
29					
30					
31					
	Received		1	23	18
	Total Rec'd				
	Allowed		1	23	16
	Rejected				

CHARGE

	City	City Agency	Country
Daily Income			1.16
Sunday Income			[illegible]
Subscription Inc.			
Book Review Inc.			
Daily			
Sunday			
Int'l Reserve			

Date 3/1/16 No. 5 438

Your Return Claim Dated 2/29/16.

Credit to

Name _____

Address _____

Town _____

Name Received From

Name CARTER'S NEWS AG

Address _____

Town MOBILE, ALA

W.E.	DRAW	RETURNED	ALLOW
1	1	1	1
2	2/0	1	1
3	1/0	2	2
4	1	3	3
5	1/0	2	2
6	1/1	1	1
7	1/1	1	1
		10	10

CREDIT

City Dealers' Ledger No.	
Country Dealers' Ledger No.	
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
_____ School Ledger	
Book Review Ledger	
_____ Ledger	

Reason for Allowing Credit _____

	Saturday	0	:	
1	Saturday	0	6.25 :	
23	Dailies	0	6.25 :	1.16
	Dailies	0	:	
	Dailies	0	:	
6	Sundays	0	3.12 :	
16	Sundays	0	3.12 :	3.00
		0	:	
City	Suburban	Country	Total	3.00

For _____ Checked _____ Approved _____ Written by J.C.R.

[Vol 1171] 1236

11754

Cleared by [redacted]
Date 6/3/16

THE NEW YORK TIMES COMPANY Credit Memorandum

P16

No.			SAT'RDAY	DAILY	SUNDAY
1				3	
2			1		
3	[redacted]				2
4					
5				2	
6					
7					
8				3	
9					
10	[redacted]				37
11				1	
12				1	
13					
14				3	
15					
16			1		1
17	[redacted]				
18					
19					
20				1	
21					
22			1	1	
23					
24					
25				3	
26					
27					
28				3	
29				3	
30					
31					
	Returned		3	30	42
	Total Rec'd.				
	Allowed		2	20	40
	Rejected		—	—	—

CHARGE

	City	City Agents	Country
Daily Income			
Sunday Income			
Subscription Inc.			
Book Review Inc.			
Daily			
Sunday			
Int'l Reserve			

Date C.T.C. 6 320
Your Return Claim Dated 5/31/16
Credit to
Name
Address
Town
Returns Received From
Name Condé Nast
Address
Town [redacted]

W.S.	DRAY	RETURNED	ALLOW

CREDIT

City Dealers' Ledger No.	
Country Dealers' Ledger No.	3
Foreign Ledger	
Condé Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Per _____ Checked _____

Reasons for Allowing Credit

	Sunday	0		
3	Sunday	0	6.75	
50	Dailies	0	6.25	6.25
	Dailies	0		
	Dailies	0		
[redacted]	Sundays	[redacted]	[redacted]	
2	Sundays	0	6.75	13.50
		0		
1 City	2 Suburban	3 Country	Total	19.75

Checked _____ Approved _____ Entered by [redacted]

[Vol. 1170]

1176

1759

THE NEW YORK TIMES COMPANY Credit Memorandum

No.		SAT'DAY	DAILY	SUNDAY
1				
2				
3				
4				
5				
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19				
20				
21				
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				
Returned				
Tally Rec'd.				
Allowed				
Rejected				

CHARGE		
City	City Agents	Country
Daily Income		
Sunday Income		
Subscription Inc.		
Book Review Inc.		
Daily		
Sunday		
Int'l Reserve		

Date 6 1733

Your Return Claim Dated

Credit to

Name

Address

Town

Returns Received From

Name

Address

Town

W.E.	DRAW	RETURNED	ALLOW

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	
Foreign Ledger	
Classic Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

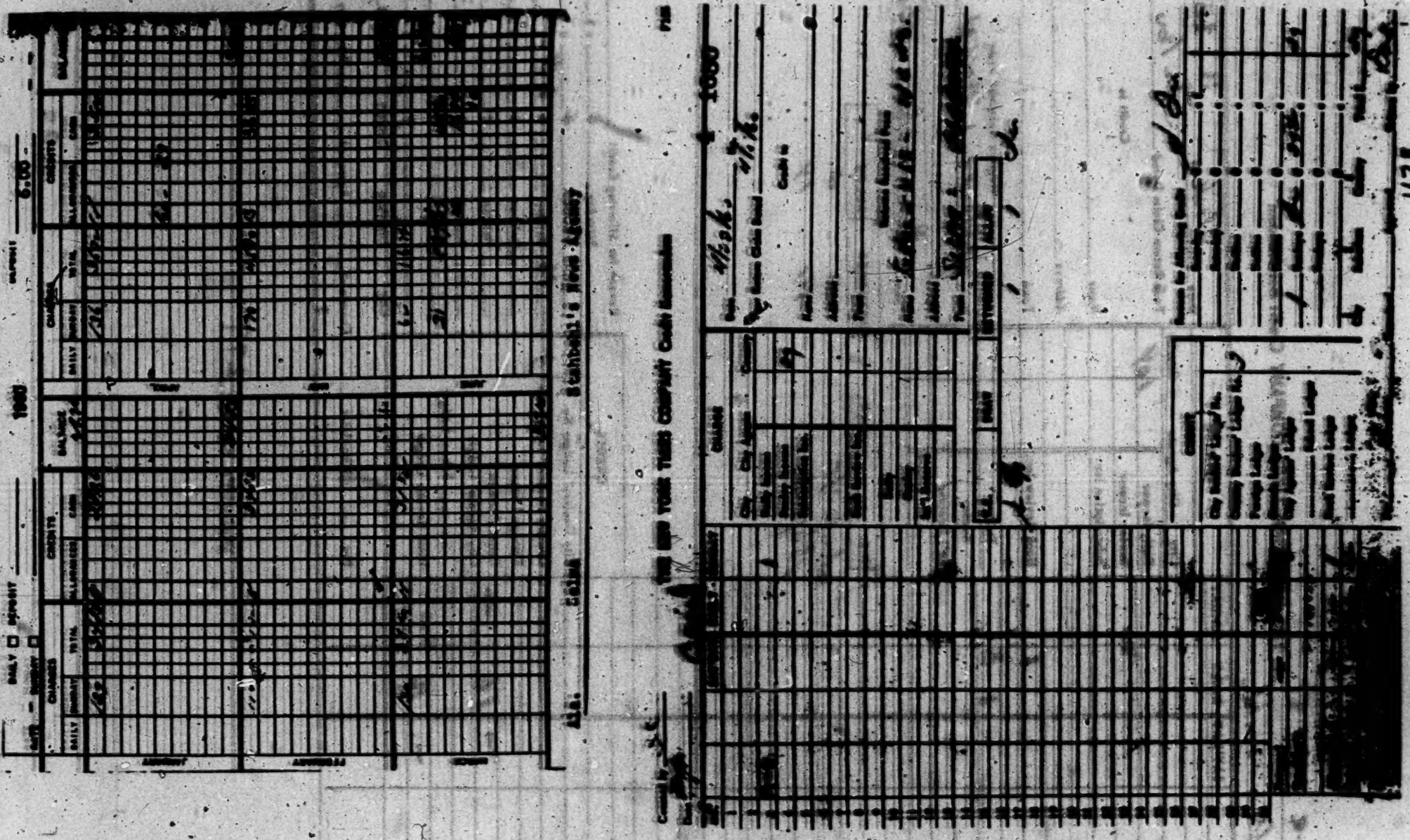
Reason for Allowing Credit

	Saturday			
	Saturday			
	Dailies			
	Dailies			
	Dailies			
	Sundays			
	Sundays			
City	Suburban	Country	Total	

Per Checked Examined Approved Entered by

1780 [Vol. 1177]

PLAINTIFF'S EXHIBIT No. 278



Counted by [illegible]

THE NEW YORK TIMES COMPANY Credit Memorandum

F165

MIL.			SATURDAY	DAILY	SUNDAY
1					
2					
3					
4					
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6					
7					
8				1	
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10				1 3	
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13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
Returned			—	16	—
Total Net'd.					
Allowed			—	16	—
Rejected			—	—	—

CHARGE	City	City Agents	Country
Daily Reviews			1
Sunday Reviews			
Subscription Bks.			
Book Review Bks.			
Daily			
Sunday			
Int'l Reports			

Date 3/26 3 1514

Type Name Claim Dated 3/26

Credit to

Name

Address

Town

Returns Received From

Name Jefferson News Co

Address

Town Birmingham Alabama

W.E.	DRAW	RETURNS	ALLOW
3/19 3/25		14	14
3/26 4/1			

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	3
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Per _____ Checked _____ Examined _____ Approved _____ Entered by _____

Reason for Allowing Credit

	Saturday	0	: 8	
	Saturday	0	:	
16	Dailies	8	6 8	: 14
	Dailies	0	:	
	Dailies	0	:	
	Sundays	0	:	
	Sundays	0	:	
		0	:	
	City	Suburban	Country	Total 10

1762
fol. 11797

Plaintiff's Exhibit 279

Plaintiff's Exhibit No. 279

1179

THE NEW YORK TIMES COMPANY ...edit Memorandum

	SAT'DAY	DAILY	SUNDAY
Returned			
Total Rec'd.			
Allowed			
Rejected			

CHARGE

	City	Agents	Country
Daily Issues			
Sunday Issues			
Subscriptions			
Back Reviews			
Theatre			
Int'l Reserve			

W.E. | DRAY | RETURNED

Date

Name

Address

Town

Name

Address

Town

CREDIT

City Dealers' Ledger No.	
Country Dealers' Ledger No.	
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Back Review Ledger	
..... Ledger	

Reason for Allowing Credit

	Saturday			
	Saturday			
	Dailies			
	Dailies			
	Dailies			
	Sundays			
	Sundays			

City | Agents | Country | Total

Per _____ Checked _____ Examined _____ Approved _____ Witness by _____

[fol. 1180]

1180

1763

counted by S C

Date 2/11/60 FEB

THE NEW YORK TIMES COMPANY Credit Memorandum

NO.			SAT'DAY	DAILY	SUNDAY
1					
2					
3					
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21					
22				3	
23				3	
24				1	
25					
26					
27					
28					
29					
30					
31					
Returned			—	15	—
Total Sat'd.					
Allowed			—	14	—
Rejected			—	—	—

CHARGE	City	City Agents	Country
Daily Income			1264
Sunday Income			
Subscription Inc.			
Book Review Inc.			
Daily			
Sunday			
Int'l Reserve			

Date 3/4/60

Your Return Claim Dated 3/1/60

Credit to

Name

Address

Town

Returns Received From

Name [redacted]

Address

Town

W.S.	DRAW	RETURNED	ALLOW
Daily		19	19

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	3
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

	Saturday	0		
	Sunday	0		
19	Dailies	0	62	1264
	Dailies	0		
	Dailies	0		
	Sundays	0		
	Sundays	0		
		0		
	City	Suburban	Country	Total $ 1264

Per _____ Checked _____ Examined _____ Approved _____ Written by Erk.

1764 [fol. 1181]

THE NEW YORK TIMES COMPANY Circulation

AERIAL

NO.			SATURDAY	DAILY	SUNDAY
1					
2					
3					
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26					
27					
28					
29					
30					
31					
Total Sold					
Allowed					
Returned					

CHARGE

City	City Agents	Country
Daily Routes		
Sunday Routes		
Subscription Rte.		
Sub Station Rte.		
Mail		
Mail		
Int'l Editions		

5 65

Date

Your Return Check Dated

Credit to

Name

Address

Town

Returns Received From

Name DETROIT CO.

Address

Town

S.S.	GRAD	RETURNED	ALLOW
Auto	4/9	4	4

CREDIT

City Station Lodge No.	
Country Station Lodge No.	
Foreign Lodge	
Coastal Lodge	
City Agents' Lodge	
Night Lodge	
Sub Station Lodge	
Lodge	

Returns for Morning Date

Saturday			
Sunday			
Daily	6	2	26
Daily			
Daily			
Sunday			
Sunday			
City	Stations	Country	Total

Per Checked Entered Agency Given to

[fol. 1182]

1182

1765

Counted by VA

Date 1/

THE NEW YORK TIMES COMPANY Credit Memorandum

F185

NO.			SAT'DAY	DAILY	SUNDAY
1					
2					
3					
4					
5					
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14					
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19					
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23					
24					
25					
26					
27					
28					
29					
30					
31					
	Returned		1	3	4
	Total Iss'd.				
	Allowed		1		4
	Rejected		—	—	—

CHARGE		
City	City Agents	Country
Daily Income		26
Sunday Income		1 14
Subscription Inc.		
Book Review Inc.		
Daily		
Sunday		
Int'l Reserve		

Date 6 Feb 16 No. 6 1416

Your Return Claim Dated 6 Feb 16

Credit to

Name

Address

Town

Returns Received From

Name

Address

Town

W.S.	DRAY	RETURNED	ALLOW

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	5
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

	Saturday			
1	Saturday	2 25		
3	Daily	6 25		26
	Daily			
	Daily			
1	Sunday	1 25		1 14
	Sunday			
City	Suburban	Country	Total	3 40

Per Checked Examined Approved

1766 [fol. 1183]

1183

THE NEW YORK TIMES COMPANY Credit Memorandum

F185

DAY	DAILY	SUNDAY

Received by [illegible]

THE NEW YORK TIMES COMPANY Credit Memorandum

F185

No.			SAT'DAY	DAILY	SUNDAY
1					
2					
3					
4					
5					
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7					
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11					
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13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23			1		
24					
25				1	
26					
27					
28					
29					
30					
31					
Returned			1	1	—
Total Rec'd.					
Allowed			1	1	—
Rejected			—	—	—

CHARGE		
City	City Agents	Country
Daily Income		.4
Sunday Income		
Subscription Inc.		
Book Review Inc.		
Daily		
Sunday		
Int'l Reserve		

Date 4/16 No. 5 1215

Your Return Claim Dated 4/14

Credit to

Name

Address

Town

Returns Received From

Name Jaffe Bros. Book Co.

Address

Town Birmingham, Alabama

W.E.	DRAW	RETURNED	ALLOW
4/6 Wk.		5	1
4/13			

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	2
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

	Saturday	0	4.10 c	$
1	Saturday	0	4.10 c	
1	Dailies	0	0.20 c	.4
	Dailies	0	c	
	Dailies	0	c	
	Sundays	0	c	
	Sundays	0	c	
		0	c	

1 City 2 Suburban 3 Country Total $ .24

Per Checked Examined Approved Written by

1768 [Vol. 1185]

1185

Counted by [illegible]

Filled [illegible]

THE NEW YORK TIMES COMPANY Credit Memorandum

F185

MO.			SAT'DAY	DAILY	SUNDAY
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23			5		
24					
25					
26					
27					
28					
29					
30					
31					
	Returned		—	—	—
	Total Ret'd.				
	Allowed		—	—	—
	Rejected		—	—	—

CHARGE		
City	City Agents	Country
Daily Income		33
Sunday Income		
Subscription Inc?		
Book Review Inc.		
Daily		
Sunday		
Int'l Reserve		

Date 1/26 No. 5 1214

Your Return Claim Dated 1.16

Credit to

Name

Address

Town

Returns Received From

Name [illegible]

Address

Town [illegible]

W.E.	DRAW	RETURNED	ALLOW
1/13		5	5

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	7
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

	Saturday	0	c	$	
5	Saturday	0	6 5/7 c		33
	Dailies	0	c		
	Dailies	0	c		
	Dailies	0	c		
	Sundays	0	c		
	Sundays	0	c		
		0	c		
1 City	2 Suburban	3 Country	Total $		33

Per ____ Circulator ____ Examined ____ Approved ____ Written by [illegible]

[fol. 1186]

1769

11 26

Counted by VA

Date 2/7

THE NEW YORK TIMES COMPANY Credit Memorandum

F185

MO.			SAT'DAY	DAILY	SUNDAY
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15				2	
16					
17				1	
18					
19					1
20			1		
21					
22					
23				0	
24					
25					
26					
27		2			
28					
29					
30					
31					1
	Returned			7	—
	Total Rec'd.				
	Allowed		—	7	—
	Rejected		—	—	—

CHARGE

City	City Agents	Country
Daily Income		46
Sunday Income		
Subscription Inc.		
Book Review Inc.		
Daily		
Sunday		
Int'l Reserve		

Date 1/16 No. 3 499

Your Return Claim Dated 1/16

Credit to

Name

Address

Town

Returns Received From

Name Jefferson News

Address

Town

W.E.	DRAW	RETURNED	ALLOW
1 left for		7	7

CREDIT

City Dealers' Ledger No.	
Country Dealers' Ledger No.	7
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

	Saturday	0	c $	
	Saturday	0	c	
7	Dailies	46	c	46
	Dailies		c	
	Dailies	0	c	
	Sundays	0	c	
	Sundays	0	c	
		0	c	

1 City 2 Suburban 3 Country Total $: 46

Per Circulator Examined Approved Written by

1770 [fol. 1187]

1187

Counted by [illegible]

Date 3/5

THE NEW YORK TIMES COMPANY Credit Memorandum

F185

NO.			SAT'DAY	DAILY	SUNDAY
1					
2				1	
3					
4					
5					
6			10		
7					
8					
9					
10				1	
11				1	
12				1	
13					
14					
15					
16					
17					
18					
19					
20					1
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
	Returned		10	10	—
	Total Ret'd.				
	Allowed		10	10	—
	Rejected		—	—	—

CHARGE

City	City Agents	Country
Daily Income		1.20
Sunday Income		
Subscription Inc.		
Book Review Inc.		
Daily		
Sunday		
Int'l Reserve		

Date 3/5/16 No. 3 498

Your Return Claim Dated 2/24/16

Credit to

Name

Address

Town

Returns Received From

Name Jefferson Stove Co

Address

Town Birmingham Ala

W.E.	DRAW	RETURNED	ALLOW
1/16	1/16	11	11
1/23	1/12	9	9

CREDIT

City Dealers' Ledger No.	
Country Dealers' Ledger No.	3
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

	Saturday	@		c $
10	Saturday	@	15	c
10	Dailies	@	6 1/3	c 1.20
	Dailies	@		c
	Dailies	@		c
	Sundays	@		c
	Sundays	@		c
		@		c

1 City 2 Suburban 3 Country Total $ 1.20

Per Circulator Examined Approved Written by Sink

[fol. 1188]

1188

1771

Counted by [illegible]

Date _____

THE NEW YORK TIMES COMPANY Credit Memorandum

P185

MO.			SAT'DAY	DAILY	SUNDAY
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
	Returned				
	Total Ret'd.				
	Allowed		—	1	—
	Rejected		—	—	—

CHARGE		
City	City Agents	Country
Daily Income		25
Sunday Income		
Subscription Inc.		
Book Review Inc.		
Daily		
Sunday		
Int'l Reserve		

Date 1/11/3 No. 964

Your Return Claim Dated 1/10

Credit to

Name _____

Address _____

Town _____

Returns Received From

Name _____

Address _____

Town _____

W.E.	DRAW	RETURNED	ALLOW
1/12-1/18.		1.	10.

CREDIT	
City Dealers' Ledger No.	
County Dealers' Ledger No.	
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit _____

	Saturday	0	c	8	
	Saturday	0	c		
1	Dailies	0	6 3 c		1
	Dailies	0	c		
	Dailies	0	c		
	Sundays	0	c		
	Sundays	0	c		
		0	c		

City 1 Suburban 2 Country 3 Total $ _____

Per _____ Circulator _____ Examined _____ Approved _____ Written by K

1772 [fol. 1189]

1189

Entered by .....

Date ... 1

THE NEW YORK TIMES COMPANY Credit Memorandum

F185

NO.			SAT'DAY	DAILY	SUNDAY
1				1	
2					
3				1	
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
Returned			1	1	—
Total Ret'd.					
Allowed			1	11	—
Rejected			—	—	—

CHARGE	City	City Agents	Country
Daily Income			15
Sunday Income			
Subscription Inc.			
Book Review Inc.			
Daily			
Sunday			
Int'l Reserve			

Date 2-16-[illegible] No. 3 25

Your Return Claim Dated 2-15-[illegible]

Credit to

Name

Address

Town

Returns Received From

Name Jefferson

Address

Town Birmingham Alabama

W.E.	DRAW	RETURNED	ALLOW
1/11 1/18		4 5	4 2

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	3
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

	Saturday	@	c		
1	Saturday	@ 6 1/2	c		
11	Dailies	@ 6 1/2	c	75	
	Dailies	@	c		
	Dailies	@	c		
	Sundays	@	c		
	Sundays	@	c		
		@	c		

1 City 2 Suburban 3 Country Total $ 7

Per ..... Circulator ..... Examined ..... Approved ..... Written by .....

[fol. 1190]

1190

1773

THE NEW-YORK TIMES COMPANY Credit Memorandum

	SAT'DAY	DAILY	SUNDAY
1			
2			
3		7	
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
Returned	—	7	—
Total Ret'd.			
Allowed	—	7	—
Rejected	—	—	—

CHARGE

	City	City Agents	Country
Daily Income			46
Sunday Income			
Subscription Inc.			
Book Review Inc.			
Daily			
Sunday			
Int'l Reserve			

Date 2/6 No. 2

Your Return/Claim Dated 1/16

Credit to

Name

Address

Town

Returns Received From

Name Adams (?)

Address

Town Lititz Quarryville

W.E.	DRAW	RETURNED	ALLOW
1/25/16		7	7

CREDIT

City Dealers' Ledger No.	
Country Dealers' Ledger No.	3
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

	Saturday	@	c $
	Saturday	@	c
7	Dailies	@ 6c	42
	Dailies	@	c
	Dailies	@	c
	Sundays	@	c
	Sundays	@	c
		@	c
1 City	2 Suburban	3 Country	Total $ 46

Per Checked Examined Approved Entered by Fink

1774 [Fol. 1191]

1191

THE NEW YORK TIMES COMPANY Credit Memorandum 19- 2-9-2

	SATURDAY	DAILY	SUNDAY
		6	
Returned	9	6	—
Total Ret'd.			
Allowed	9	6	—
Rejected	—	—	—

CHARGE

	City	City Agents	Country
Daily Income			98
Sunday Income			
Subscription Inc.			
Book Review Inc.			
Daily			
Sunday			
Int'l Reserve			

Date 2/16/2 No. 2 139

Your Return Claim Dated 1/14/2

Credit to

Name

Address

Town

Returns Received From

Name Sheffield & Birmingham

Address

Town Birmingham Ala.

W.E.	DRAW	RETURNED	ALLOW
1 wk 14/26		9	9
1 wk 1/2		6	6

CREDIT

City Dealers' Ledger No.

Country Dealers' Ledger No. 7

Foreign Ledger

Canada Ledger

City Agents' Ledger

..... School Ledger

Book Review Ledger

..... Ledger

Reason for Allowing Credit

	Saturday	0	c	
9	Saturday	0	6½ c	
6	Dailies	0	6½ c	98
	Dailies	0	c	
	Dailies	0	c	
	Sundays	0	c	
	Sundays	0	c	
		0	c	

1 City 2 Suburbs 3 Country Total $ 98

Per Circulator Examined Approved Written by

[fol. 1192]

1775

1192

Counted by [illegible]

Date 6/20/13

THE NEW YORK TIMES COMPANY Credit Memorandum

	SATURDAY	DAILY	SUNDAY
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
Received		13	
Total Rec'd.			
Allowed	—	12	—
Rejected	—	—	—

CHARGE

City	City Agents	Country
Daily Income		11
Sunday Income		
Subscription Inc.		
Book Review Inc.		
Daily		
Sunday		
Int'l Reserve		

Date 6/6 No. 1

Your Return Claim Dated 6/5/13

Credit to

Name

Address

Town

Returns Received From

Name JEFFERSON HA

Address

Town Birmingham, AL

W.E.	DRAW	RETURNED	ALLOW
6/16		12	12

CREDIT

City Dealers' Ledger No.	
Country Dealers' Ledger No.	3
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

	Saturday	@	c	
	Saturday	@	c	
12	Dailies	@ 7 1/2	c	91
	Dailies	@	c	
	Dailies	@	c	
	Sundays	@	c	
	Sundays	@	c	
		@	c	

1 City | 2 Suburban | 3 Country | Total $ 91

Per _____ Circulation _____ Examined _____ Approved _____ Entered by MK

1776 [fol. 1193]

1193

THE NEW YORK TIMES COMPANY Credit Memorandum

F185

	SAT'DAY	DAILY	SUNDAY
1			
2			
3			
4			
5	1	0	
6			
7			
8		1	
9			
10		5	
11			
12	9		
13			
14	4		
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
Returned	5	3	
Total Rec'd.	5	5	
Allowed	9	5	—
Rejected	—	—	—

CHARGE

City	City Agents	Country
Daily Income		91
Sunday Income		
Subscription Inc.		
Book Review Inc.		
Daily		
Sunday		
Int'l Reserve		

Date 1/3/64 No. 1 350

Your Return Claim Dated 1-6-64

Credit to

Name

Address

Town

Returns Received From

Name Tiffany & Co

Address 9

Town Flushing Long Island

W.S.	DRAW	RETURNED	ALLOW
Aug	12/5	1	1
Aug	12/12	9	9
Sept	12/19	4	4

CREDIT

City Dealers' Ledger No.	
Country Dealers' Ledger No.	3
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

Saturday	0	0	
9 Saturday	0	6	
5 Dailies	0	6	91
Dailies	0	0	
Dailies	0	0	
Sundays	0	0	
Sundays	0	0	
	0	0	
1 City	2 Suburban	3 Country	Total $ 91

Per Checker Received Approved Taken by E.M.K.

[fol. 1194]

1194

1777

DAILY ☐ DEPOSIT _____ 1960 DEPOSIT _____

RATE — SUNDAY ☐

	CHARGES			CREDITS		BALANCE		CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH			DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JANUARY							APRIL						
FEBRUARY							MAY						
MARCH							JUNE						

Jefferson News Co. 2320 2nd Ave. S. Birmingham, Ala.

THE NEW YORK TIMES COMPANY Credit Memorandum F185

NO.	SAT'DAY	DAILY	SUNDAY
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15		4	
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30	[redacted]		
31			
Returned			
Total Ret'd.			
Allowed	6	11	—
Rejected	—	—	—

CHARGE	City	City Agents	Country
Daily Income			111
Sunday Income			
Subscription Inc.			
Book Review Inc.			
Daily			
Sunday			
Int'l Reserve			

Date 1/5/59 No. [redacted]

Your Return Claim Dated 1-1-59

Credit to

Name _____

Address _____

Town _____

Returns Received From

Name _____

Address _____

Town _____

W.E.	DRAW	RETURNED	ALLOW
1-10-59		6	6
1-10-59		11	11

CREDIT:	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	9
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

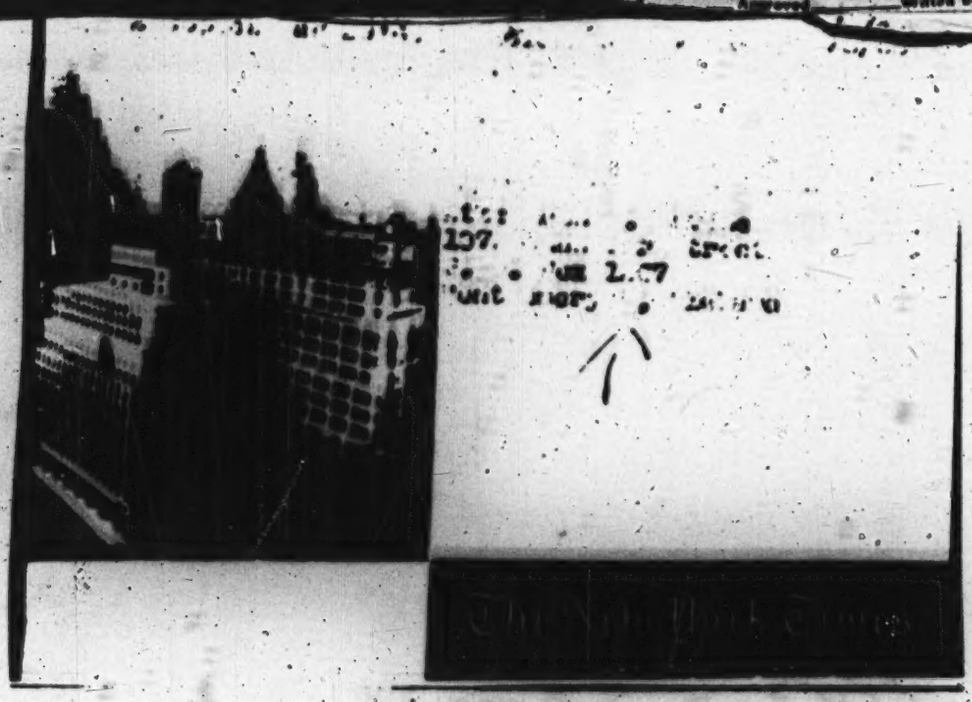
Reason for Allowing Credit _____

	Saturday	@	c	$
6	Saturday	@ 6.25	c	
11	Dailies	@ 6.25	c	1.44
	Dailies	@	c	
	Dailies	@	c	
	Sundays	@	c	
	Sundays	@	c	
		@	c	

1 City 2 Suburban 3 Country Total $ 1.44

Approved _____ Written by _____

1778 [fol. 1195]



CIRCULATION ACCOUNTING DEPARTMENT

The New York Times NO. S-57

EXTRA CHARGE

DATE May 12, 1960

NAME Montgomery News Co.

ADDRESS 1075 Chandler St.
P.O.Box 1267 Attn:Leon S.Levine
Montgomery,5, Alabama

	2 copies issue 3/29/60 @ $.06½ ea.	.13

LEDGER Co. #3

APPROVED

[fol. 1196]

PLAINTIFF'S EXHIBIT No. 280

1779

Montgomery News Company

Montgomery 5, Alabama
April 6, 1950

alk 6.14

New York Times
Times Square
New York 36, N. Y.

Attention: Circulation Department

Gentlemen:

Will you please enter our Special Order for six (6) copies Daily Times, dated March 29, immediate delivery, charging same to our account at regular wholesale agent rate.

Thank you.

Sincerely yours

MONTGOMERY NEWS COMPANY

Leo S. Levine

lslpl

1780
[fol 1197]

Written by

Montgomery News Company

1075 HANDLER STREET TELEPHONE AMherst 2-3156 P O BOX 1267

Montgomery 1, Alabama

April 29, 1960

New York Times
Times Square
New York, N. Y.

Attention: Circulation Department

Gentlemen:

Will you please enter our Special Order for two (2) copies Daily Times, March 29 issue, charging same to our account at regular wholesale agent's rate.

Thank you.

Sincerely yours

MONTGOMERY NEWS COMPANY

Leon S. Levine

LSL:l

2 Copies March 29, 1960 of Wednesday,

By mail

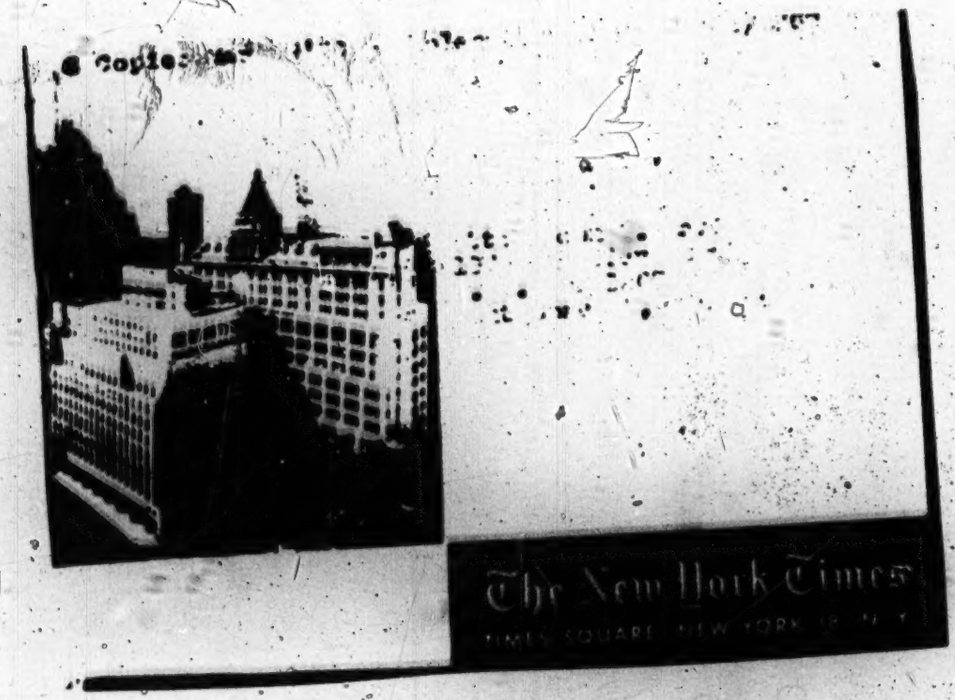
2 C C - 134

[fol. 1198]

1781

1198

6 copies



A69

CIRCULATION ACCOUNTING DEPARTMENT

The New York Times NO. 4-139

EXTRA CHARGE

DATE April 13, 1960

NAME Montgomery News Co.

ADDRESS Montgomery, Ala.

6 copies-March 29th issue @6.50 per C.		.39
EXTRA ORDER		
LEDGER	Co. #3	

APPROVED

1782
[fol. 1196]

635

DAILY ☐ DEPOSIT _____ 1960 DEPOSIT 150.00

DATE — SUNDAY ☐

CHARGES			CREDITS		BALANCE	CHARGES			CREDITS		BALANCE
DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH		DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JANUARY						APRIL					
MAY						JUNE					

Montgomery News Co, 9 Madison Ave. Montgomery, Ala.

Counted by _____
Date _____

THE NEW YORK TIMES COMPANY Credit Memorandum P186

NO.			SAT'DAY	DAILY	SUNDAY
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
	Returned		—	—	—
	Total Ret'd.				
	Allowed		—	—	—
	Rejected		—	—	—

CHARGE	City	City Agents	Country
Daily Income			
Sunday Income		1	3
Subscription Inc.			
Book Review Inc.			
Daily			
Sunday			
Int'l Reserve			

Date 5/16/60 No. 5 819
Your Return Claim Dated 5/16/60

Credit to
Name Montgomery News Co
Address _____
Town Montgomery Ala

Returns Received From
Name _____
Address _____
Town _____

W.C.	DRAW	RETURNED	ALLOW

4/24 5 Mtge

Montgomery News Co.

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	3
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit Short

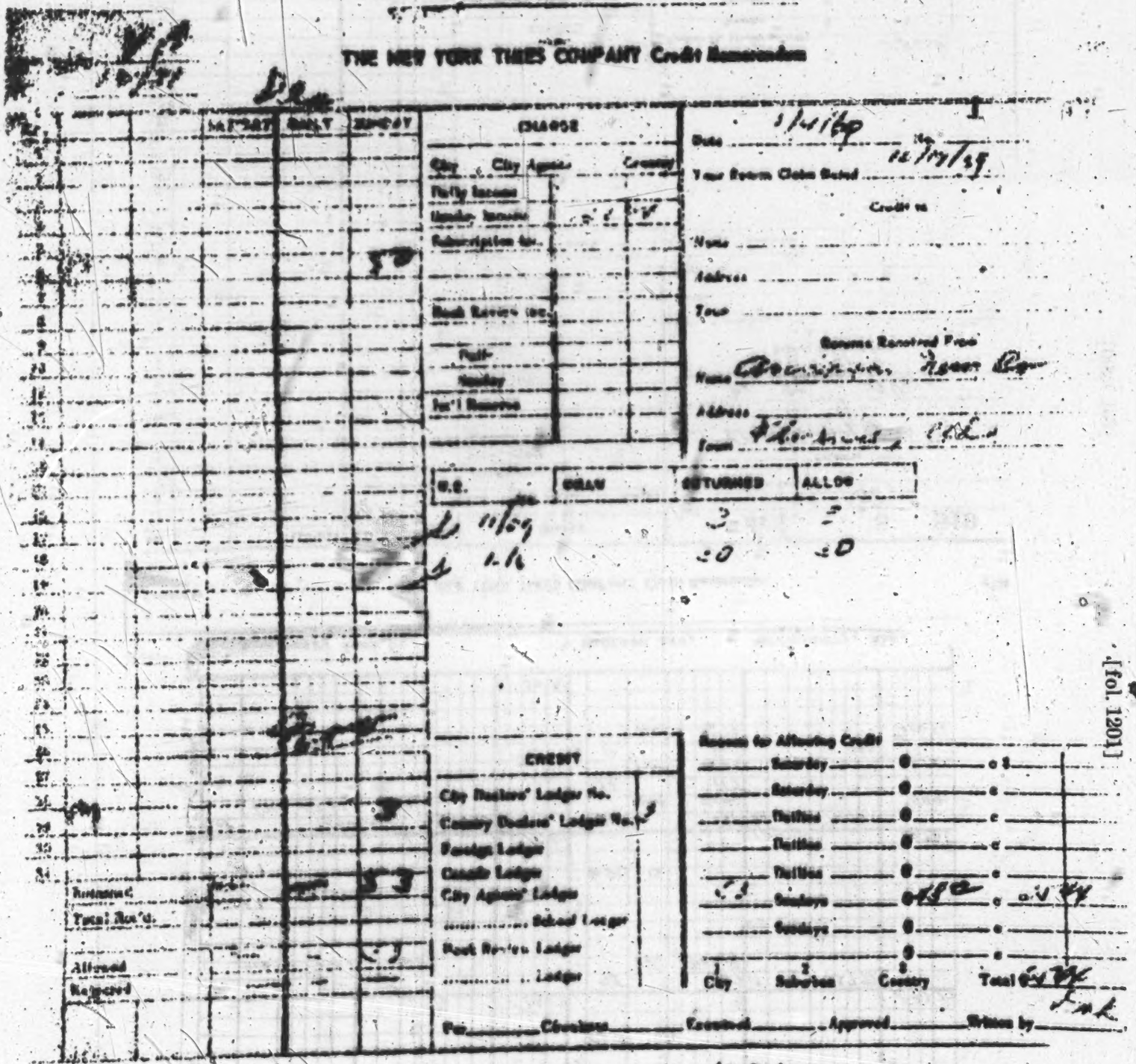
Saturday	0	. 0	
Saturday	0	.	
Dailies	0	.	
Dailies	0	.	
Dailies	0	.	
5 Sundays	0	21	105
2 Sundays	0	.	
	0	.	
1 City	3 Suburban	3 Country	Total $ 105

Per _____ Checked _____ Examined _____ Approved _____ Entered by _____

1200

[fo]. 1200]

1783



THE NEW YORK TIMES COMPANY Credit Memorandum

	DAILY	SUNDAY
Returned		
Total Rec'd.		
Allowed		
Rejected		

CHARGE

City | City Agents | Country

Daily Issues
Sunday Issues
Subscription &c.
Book Review &c.
Full Sunday
Int'l Reserve

Date 5/11/69
Your Recpt. Claim Dated 11/19/68

Credit to
Name
Address
Town

Returns Received From
Name
Address
Town

U.S.	CHAN	RETURNED	ALLOW
1	11/69	3	3
1	1.K	20	20

CREDIT

City Dealers' Ledger No.
Country Dealers' Ledger No.
Foreign Ledger
Canada Ledger
City Agents' Ledger
..... School Ledger
Book Review Ledger
..... Ledger

Reasons for Allowing Credit

Saturday			
Saturday			
Thrifties			
Thrifties			
Thrifties			
Sundays			
Sundays			

City | Suburban | Country | Total

Per Clearance Received Approved Written by

1201

Counted by _____

Date _____

THE NEW YORK TIMES COMPANY Credit Memorandum

NO.			SAT'DAY	DAILY	SUNDAY
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21	1.71				1
22					
23					
24					
25					
26			19	2	
27	19 4				3
28					
29					
30					
31					
	Returned				
	Total Rq'd.				
	Allowed				
	Rejected				

CHARGE		
City	City Agents	Country
Daily Income		
Sunday Income		4 0
Subscription Inc.		
Book Review Inc.		
Daily		
Sunday		
Int'l Reserve		

Date 1.4 53 1563

No. _____

Your Return Claim Dated 4/15/44

Credit to

Name _____

Address _____

Town _____

Returns Received From

Name _____

Address _____

Town _____

W.E.	DRAW	RETURNED	ALLOW

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
.....Ledger	

Reason for Allowing Credit _____

Saturday	0	c $	
Saturday	0	c	
Dailies	0	c	
Dailies	0	c	
Dailies	0	c	
Sundays	0	c	
Sundays	0	c	
	0	c	
1 City	2 Suburban	3 Country	Total $

Per _____ Circulator _____ Examined _____ Approved _____ Written by _____

1202

[fol. 1202]

PLAINTIFF'S EXHIBIT No. 281

1783

Entered by [illegible]
Date 1/14/60

THE NEW YORK TIMES COMPANY Credit Memorandum

F185

NO.	NOV		SAT'DAY	DAILY	SUNDAY
1					
2					
3		26			
4		27			1
5					
6					
7					
8					
9					
10					
11					
12		26			
13		26			10
14					
15	22				2
16					
17		26			
18		27			3
19		26			
20		27			3
21					
22					
23					
24					
25					
26					
27					
28					
29	27				1
30					
31					
	Returned		—	—	21
	Unsold Rec'd				
	Allowed		—	—	21
	Adjusted		—	—	1

CHARGE	City	City Agents	Country
Daily Income			
Sunday Income		12	96
Subscription Inc.			
Book Review Inc.			
Daily			
Sunday			
Int'l Reserve			

Date 1/19/60 No. 1 808

Your Return Claim Dated 1/18/60

Credit to

Name

Address

Town

Returns Received From

Name ANDERSON NEWS CO

Address

Town FLORENCE, ALA.

U.S.	DRAY	RETURNED	ALLOW
		1	1
		2	2
		6	6
		8	8
		10	10
		4	4

1-Dy
1-Sy
10 Dy-
11 Dy
12/13.
1 Bo

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

	Saturday	0	0	$
	Saturday	0	0	
	Dailies	0	0	
	Dailies	0	0	
	Dailies	0	0	
27	Sundays	0	48 cr	1 96
	Sundays	0	0	
		0	0	

1 City 3 Suburban 3 Country Total $ 12 96

Per Checked Received Approved Written by Lok.

1786 [fol. 1203]

1203

Counted by [illegible]

Date [illegible]

THE NEW YORK TIMES COMPANY Credit Memorandum

NO.			SAT'DAY	DAILY	SUNDAY
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27	[illegible]				1
28					
29					
30					
31					
	Returned				1
	Total Sold				
	Allowed		—	—	1
	Rejected		—	—	—

CHARGE	City	City Agents	Country
Daily Receipts			
Sunday Receipts			3 96
Subscription Rec.			
Book Revenue Rec.			
Daily			
Sunday			
Int'l Receipts			

Date 8/27/64 No. 1 10.53

Your Return Claim Dated 1/9/64

Credit to

Name

Address

Town

Return Received From

Name [illegible]

Address

Town [illegible]

U.S.	DRAY	RETURNED	ALLOW
1	1/64	1	1

CREDIT	
City Receipts' Ledger No.	
Country Receipts' Ledger No.	3
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Revenue Ledger	
.....d Ledger	

Reasons for Allowing Credit

Saturday	0	0	
Saturday	0	0	
Sunday	0	0	
Sunday	0	0	
Sunday	0	0	
3 Sundays	0	3 96	
Sundays	0	0	
	0	0	
City	Suburban		

Per Checked

[fol. 1204]

1204

1787

Counted by [illegible]

Date 11/20/60

THE NEW YORK TIMES COMPANY Credit Memorandum

NO.	WEEK	MO ✓	SAT'DAY	DAILY	SUNDAY
1					
2					
3					
4					
5					
6	11/5				3
7					
8					
9					
10					
11					
12					
13	11/12				6
14					
15		11/1			1
16					
17					
18					
19					
20	11/1				7
21					
22					
23					
24					
25					
26					
27					
28					
29		11/2			2
30					
31					
	Returned				19
	Total Rec'd.				
	Allowed		—	—	19
	Rejected		—	—	—

CHARGE		
City	City Agents	Country
Daily Income		
Sunday Income		
Subscription Inc.		
Book Review Inc.		
Daily		
Sunday		
Int'l Reserve		

Date 11/21/60 No.

Your Return Claim Dated 11/14/60

Credit to

Name

Address

Town

Returns Received From

Name ANDERSON NEWS CO

Address

Town FLORENCE, ALA.

W.E.	DRAW	RETURNED	ALLOW
L 11/5		1	1
L 11/6		3	3
L 11/12		6	6 Late
L 11/13		7	7 Late
L 11/20		3	3 Late
L 11/27			

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	3
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit 4 Late

Saturday	0			
Saturday	0			
Dailies	0			
Dailies	0			
Dailies	0			
15 Sundays	0			
4 Sundays	0			
	0			
City	Suburban	Country	Total $	

Per Checked Received Approved Entered by

1788

[fol. 1205]

1205

Counted by [illegible]

Date [illegible]

THE NEW YORK TIMES COMPANY Credit Memorandum

F185

No.			SAT'DAY	DAILY	SUNDAY
1					
2					
3	11-12				13
4					
5					
6					
7					
8					
9					
10	11-6				6
11					
12					
13					
14					
15					
16					
17	11				1
18					
19			12		
20	11-6				6
21					
22					
23					
24					
25					
26					
27	11				1
28					
29					
30					
31					
	Removed				
	Total Ret'd.				
	Allowed		—	—	3
	Rejected		—	—	—

CHARGE		
City	City Agents	Country
Daily Income		
Sunday Income	15 36	
Subscription Inc.		
Book Review Inc.		
Daily		
Sunday		
Int'l Reserve		

Date 2/24/60 No. 2 433

Your Return Claim Dated [illegible] 1/60

Credit to

Name

Address

Town

Returns Received From

Name

Address

Town

W.E.	DRAW	RETURNED	ALLOW
2/		6	6
1-4		7	7
11		10	10
1/11		6	6
1/17		1	1

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	3
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

	Saturday	0	c $	
	Saturday	0	c	
	Dailies	0	c	
	Dailies	0	c	
	Dailies	0	c	
15	Sundays	0	45 36 c	
17	Sundays	0	45 36 c	15 36
		0	c	
1 City	2 Suburban	3 Country	Total $	15 36

Per Checked Examined Approved Written by [illegible]

[Rev. 12/06]

1206

1789

Entered by —

THE NEW YORK TIMES COMPANY Credit Memorandum

F185

Ithaca

MO.			SAT'DAY	DAILY	SUNDAY
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17	D 5				5
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
	Returned		—	—	5
	Total Ret'd.				
	Allowed		—	—	1
	Rejected		—	—	—

CHARGE

	City	City Agents	Country
Daily Income			
Sunday Income		4 32	
Subscription Inc.			
Book Review Inc.			
Daily			
Sunday			
Int'l Reserve			

Date 3/11/60 No. 2 961

Your Return Claim Dated 3/16/60

Credit to

Name

Address

Town

Returns Received From

Name HALL & SON Nat. Co

Address

Town ITHACA N.Y.

W.E.	DRAW	RETURNED	ALLOW
11/17		1	1

CREDIT

City Dealers' Ledger No.	
Country Dealers' Ledger No.	3
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

	Saturday	0	c	$
	Saturday	0	c	
	Dailies	0	c	
	Dailies	0	c	
	Dailies	0	c	
1	Sundays	0 45	c	4 32
	Sundays	0	c	
		0	c	

City 1 Suburban 3 Country Total $ 4 32

Per Checked Examined Approved Written by

1780 [Vol 1207]

1207

Entered by [illegible]

Date [illegible]

THE NEW YORK TIMES COMPANY Credit Memorandum

185

NO.			SAT'DAY	DAILY	SUNDAY
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
	Returned				3
	Total Rec'd.				
	Allowed				
	Rejected				

CHARGE	City	City Agents	Country
Daily Income			
Sunday Income		144	
Subscription Inc.			
Book Review Inc.			
Daily			
Sunday			
Int'l Reserve			

Date [illegible] No. 3 26

Your Return Claim Dated [illegible]

Credit to

Name [illegible]

Address [illegible]

Town [illegible]

Returns Received From

Name [illegible]

Address [illegible]

Town [illegible]

W.E.	DRAW	RETURNED	ALLOW

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	1
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit [illegible]

	Saturday	0	c $	
	Saturday	0	c	
	Dailies	0	c	
	Dailies	0	c	
	Dailies	0	c	
	Sundays	0	c	144
	Sundays	0	c	
		0	c	

1 City 2 Suburban 3 Country Total $ 144

Per [illegible] Circulator [illegible] Examined [illegible] Approved [illegible] Written by [illegible]

1208

[fol. 1208]

1791

Created by [illegible]
Date 1/11/62

THE NEW YORK TIMES COMPANY Credit Memorandum

F185

DAY			SAT'DAY	DAILY	SUNDAY
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
	Returned		—	—	
	Total Net'd.				
	Allowed		—	—	
	Rejected		—	—	—

CHARGE		
City	City Agents	Country
Daily Income		
Sunday Income		
Subscription Inc.		
Book Review Inc.		
Daily		
Sunday		
Int'l Reserve		

Date 1/11/62 No. 3 7591
Your Return Claim Dated 1/11/62

Credit to
Name
Address
Town

Returns Received From
Name
Address
Town

W.E.	DRAW	RETURNED	ALLOW
1/14			
1/21			
1/28			
2/4			
2/11			

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

Saturday			
Saturday			
Daily			
Daily			
Daily			
Sundays			
Sundays			
City	Suburban	Country	Total $

Per Checked Examined Approved Entered by

[Vol 1308] 1792

1209

645

DAILY ☐ DEPOSIT _____ 1960 DEPOSIT 175.00

RATE — SUNDAY ☐

CHARGES			CREDITS		BALANCE	CHARGES			CREDITS		BALANCE
DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH		DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	

Anderson News Co. 114 E Mobile St/ Florence, Ala.

THE NEW YORK TIMES COMPANY Credit Memorandum

NO.	MAR	SAT'DAY	DAILY	SUNDAY
10	12		2	
13	13		3	
17	17		7	
20	20		1	
24	24		22	
27	27		1	
	Returned			37
	Total Ret'd.			
	Allowed			1
	Rejected			

CHARGE

	City	City Agents	Country
Daily Income			
Sunday Income			
Subscription Inc.			
Book Review Inc.			
Daily			
Sunday			
Int'l Reserve			

Date No.

Your Return Claim Dated

Credit to

Name

Address

Town

Returns Received From

Name

Address

Town

W.E.	DRAW	RETURNED	ALLOW

CREDIT

City Dealers' Ledger No.

Country Dealers' Ledger No.

Foreign Ledger

Canada Ledger

City Agents' Ledger

..... School Ledger

Book Review Ledger

..... Ledger

Reason for Allowing Credit

Saturday	3		
Saturday	3		
Mailing	3		
Mailing	3		
Mailing	3		
Sundays	3		
Sundays	3		
	3		

1 City 2 Suburban Cir. Total $

Per _____ Circulator _____ Examined _____ Approved _____ date b

7210

[fol. 1210]

1793

CIRCULATION ACCOUNTING DEPARTMENT

The New York Times

TIMES SQUARE, NEW YORK, N. Y.

JUL 31 1959

Lewis Drug & Seed Store
Tuskegee
Alabama

KINDLY DETACH THIS STUB AND MAIL WITH CHECK.
Your Canceled Voucher is Receipt For Payment

TOTAL $ 42.12

The New York Times

TIMES SQUARE, NEW YORK, N. Y.

JUL 31 [illegible]

BALANCE FORWARD $ 32.

Date	Dailies	Sundays		
1				
2				
3				
4				
5		12	Dailies 6	
6		1	Sundays 6.27	12.56
7				
8				
9			Subscriptions	
10			TOTAL DEBITS	44.56
11				
12				
13			Credit Balance	
14			By Cash	
15				
16			By Credit	
17				
18				
19				
20				
21				
22				
23				
24			TOTAL CREDITS	
25				
26				
27				
28				
29				
30				
31			BALANCE { Due The New York Times / Due You	

This bill must be paid in full by money order or check ten days after receipt.
Not responsible for currency or stamps lost in mail. No returns allowed.

1211

1794
[fol. 1211]

PLAINTIFF'S EXHIBIT No. 282

CIRCULATION ACCOUNTING DEPARTMENT

The New York Times JUN 30 1959

TIMES SQUARE, NEW YORK, N. Y. Month ending

Lewis Drug & Seed Store
Tuskegee
Alabama

KINDLY DETACH THIS STUB AND MAIL WITH CHECK
Your Canceled Voucher is Receipt For Payment

TOTAL $ _____

The New York Times JUN 30 1959

TIMES SQUARE, NEW YORK, N. Y. Month ending

Date	Dailies	Sundays			
			BALANCE FORWARD	$ 7	
1					
2					
3					
4					
5					
6			Dailies $		
7			Sundays $ 5 7 4	1 2 4 6	
8					
9			Subscriptions		
10			TOTAL DEBITS		
11					
12					
13	1		Credit Balance		
14		11	By Cash		
15					
16			By Credit		
17					
18					
19					
20					
21		11			
22					
23					
24			TOTAL CREDITS		
25					
26					
27					
28		11			
29					
30					
31			BALANCE { Due The New York Times / Due You		

This bill must be paid in full by money order or check ten days after receipt.
Not responsible for currency or stamps lost in mail. No returns allowed.

12 12

[Vol. 1212]

1796

F133B

The New York Times
TRANSFER VOUCHER MEMORANDUM

(27B)

Date Aug. 27 19 60

Dr. Advertising Under (Unapplied)

Cr. Circulation Co. L. /B

Payment received From:

Lewis [illegible] of Tuskegee
Tuskegee, Alabama

W.o'd paym on 7/21/60 $10.80

Issued by [illegible] Approved [signature] Audited

Received by Approved [signature] Audited

[illegible] OF TUSKEGEE INC
[illegible] 2.99
TUSKEGEE ALABAMA

LETTER

1796
[fol. 1213]

DAILY ☐ DEPOSIT _____ 1938 DEPOSIT _____

RATE — SUNDA ☐

	CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JANUARY		48	12 96	0	12 96	12 96
FEBRUARY		49	13 86 12		13 98	11 76
MARCH		60	16 20			27 96
APRIL		60	16 20	18	25 16	18 96
MAY		60	16 20			35 16
JUNE		60	16 20	15	13 95	37 20

Ala. Tuskegee Lewis Drug & Seed Store

DAILY ☐ DEPOSIT _____ DEPOSIT _____

RATE SUNDAY ☐

	CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JULY		48	12 96	0		49 16
AUGUST		60	16 20 24		16 20	73 20
SEPTEMBER		48	12 96	7 73 44		25 20
OCTOBER		62	16 74 12		15 94	1 40
NOVEMBER		60	16 20			17 60
DECEMBER		60	16 20			33 80

ACME SPECIAL

1214

[fol. 1214]

1797

Counted by [redacted] THE [redacted]

Date 2/11/16 TAN

NO.			SATURDAY	DAILY	SUNDAY
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31	M 1				5
Returned			—	—	—
Total Ret'd.					
Allowed			—	—	—
Rejected			—	—	—

CHARGE	City	City Agents	Country
Daily Income			
Sunday Income		1 05	
Subscription Inc.			
Book Review Inc.			
Daily			
Sunday			
Int'l Reserve			

Date 2/13/16 No. 2 865

Your Return Claim Dated 2/16

Credit to

Name

Address

Town

Returns Received From

Name [redacted]

Address C

Town TUSCALOOSA, ALA

W.E.	DRAW	RETURNED	ALLOW

1 1

CREDIT	
City Dealers' Ledger No.	
Country Dealers' Ledger No.	
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

Saturday	0	c $	
Saturday	0	c	
Dailies	0	c	
Dailies	0	c	
Dailies	0	c	
Sundays	0	c	1
Sundays	0	c	
	0	c	1

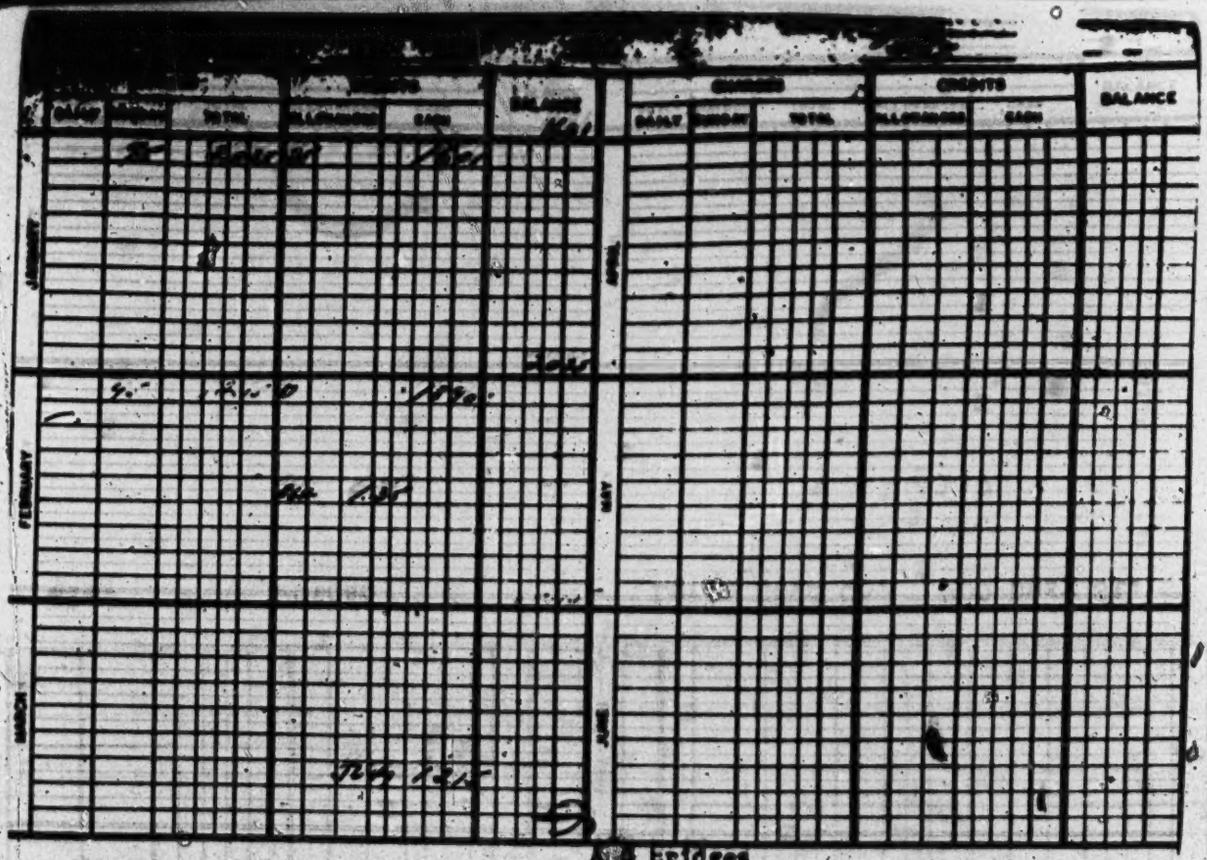
1 City 2 Suburban 3 Country Total $ 1

Per Circulator Examined Approved Written by

1215

1798 [fol. 1215]

PLAINTIFF'S EXHIBIT No. 283



Ala. Tuscaloosa A. G. Bridges The Reading Rak 1223 University Ave.

No. 3

JOURNAL VOUCHER

CIRCULATION ACCOUNTING DEPARTMENT DATE 3-16-60

DEBIT CONTROL	DEBIT DETAIL	DESCRIPTION	CREDIT DETAIL	CREDIT CONTROL
12.15		Circ. Country Guarantee Ledger Circ. Country Ledger No. 3		12.15
		A. G. Bridges The Reading Rack, 1223 University Ave. Tuscaloosa, Ala.	12.15	
		To transfer portion of a $25.00 deposit to ledger on stopped account. Balance plus accrued interest to be refunded to dealer.		

AUDITED [illegible] WRITTEN BY [illegible] EXAMINED [illegible] APPROVED [illegible]

1216

[fol. 1216]

1799

DAILY ☐ DEPOSIT _____ DEPOSIT _____

RATE — SUNDAY ☐ _____ 1960 15.00

	CHARGES			CREDITS		BALANCE		CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH			DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JANUARY							APRIL						
FEBRUARY							MAY						
MARCH							JUNE						

Ala. Dothan Lurie News Co. 709 Dusy St.

1217

1800
[fol. 1217]

PLAINTIFF'S EXHIBIT No. 284

DAILY ☐ DEPOSIT _____ DEPOSIT _____

1960

DATE — SUNDAY ☐

CHARGES			CREDITS		BALANCE		CHARGES			CREDITS		BALANCE
DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH			DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
						APRIL						
						MAY						
						JUNE						

Alexander City Carlisle Drug Co.

1218

[fol. 1218] Plaintiff's Exhibit No. 285

1801

DAILY ☐ DEPOSIT _____ 1960 DEPOSIT 3.00

RATE — SUNDAY ☐

	CHARGES			CREDITS		BALANCE		CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH			DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JANUARY		13	3 51	22	3 19	3 19	APRIL		8	2 16	11	2 16	
						35							2 16
FEBRUARY				10	2 16		MAY		4	1 80	9	3 24	
MARCH		8	2 16		2 16		JUNE		1				
											06		06

Ala. Ozark Brown's Pharmacy

1219

1802
[fol. 1219]

PLAINTIFF'S EXHIBIT No. 286

DAILY ☐ DEPOSIT _____ DEPOSIT ✓

RATE — SUNDAY ☐ _____ 1960 10.00

	CHARGES			CREDITS		BALANCE		CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH			DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JANUARY		3	5.46	5	5.46	10.43	APRIL		2	5.46	1.	5.46	
													5.46
FEBRUARY				25	3.90		MAY		24	6.48	1.	5.46	
													6.48
MARCH		20	5.40	1.	6.48		JUNE		8	2.16	1.	6.48	
									4	1.08			2.16
												17	3.24
						5.40							

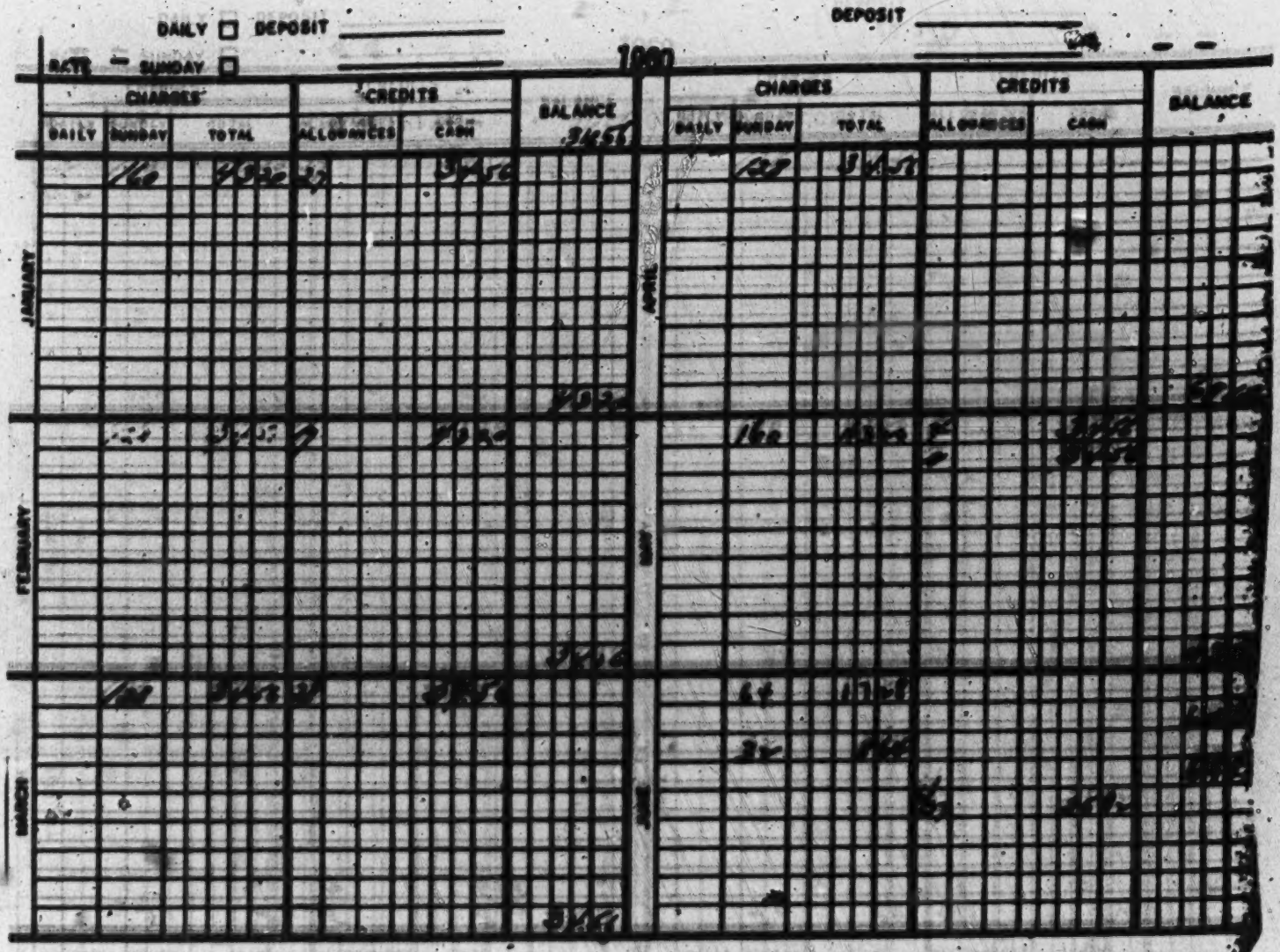
Ala. Greenville Grammage Bros.

1220

[fol. 1220]

PLAINTIFF'S EXHIBIT No. 287

1803



Ala. Tuscaloosa Lustig Book Shop 2227 Broad St.

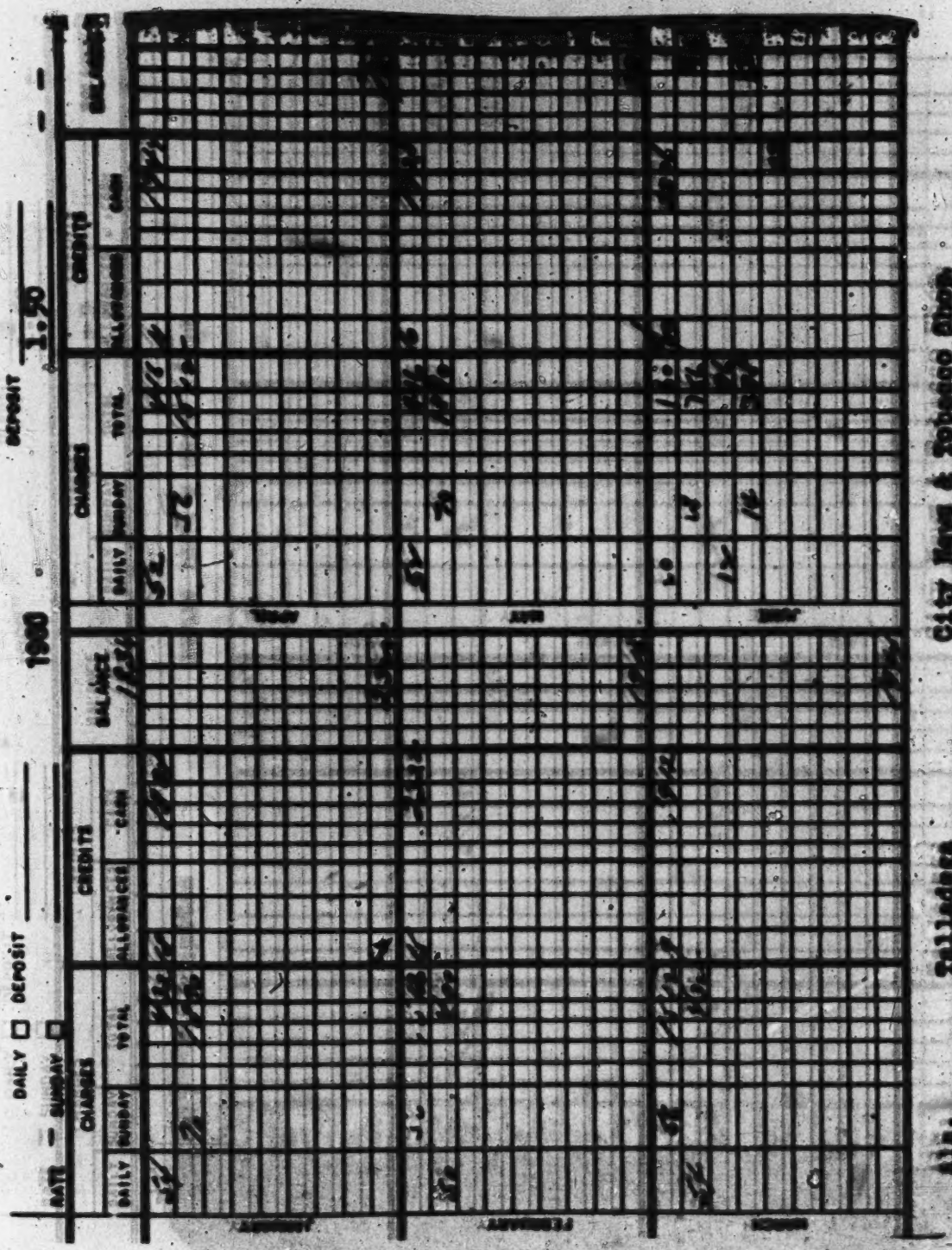
12.21

1804
[fol. 1221]

PLAINTIFF'S EXHIBIT No. 288

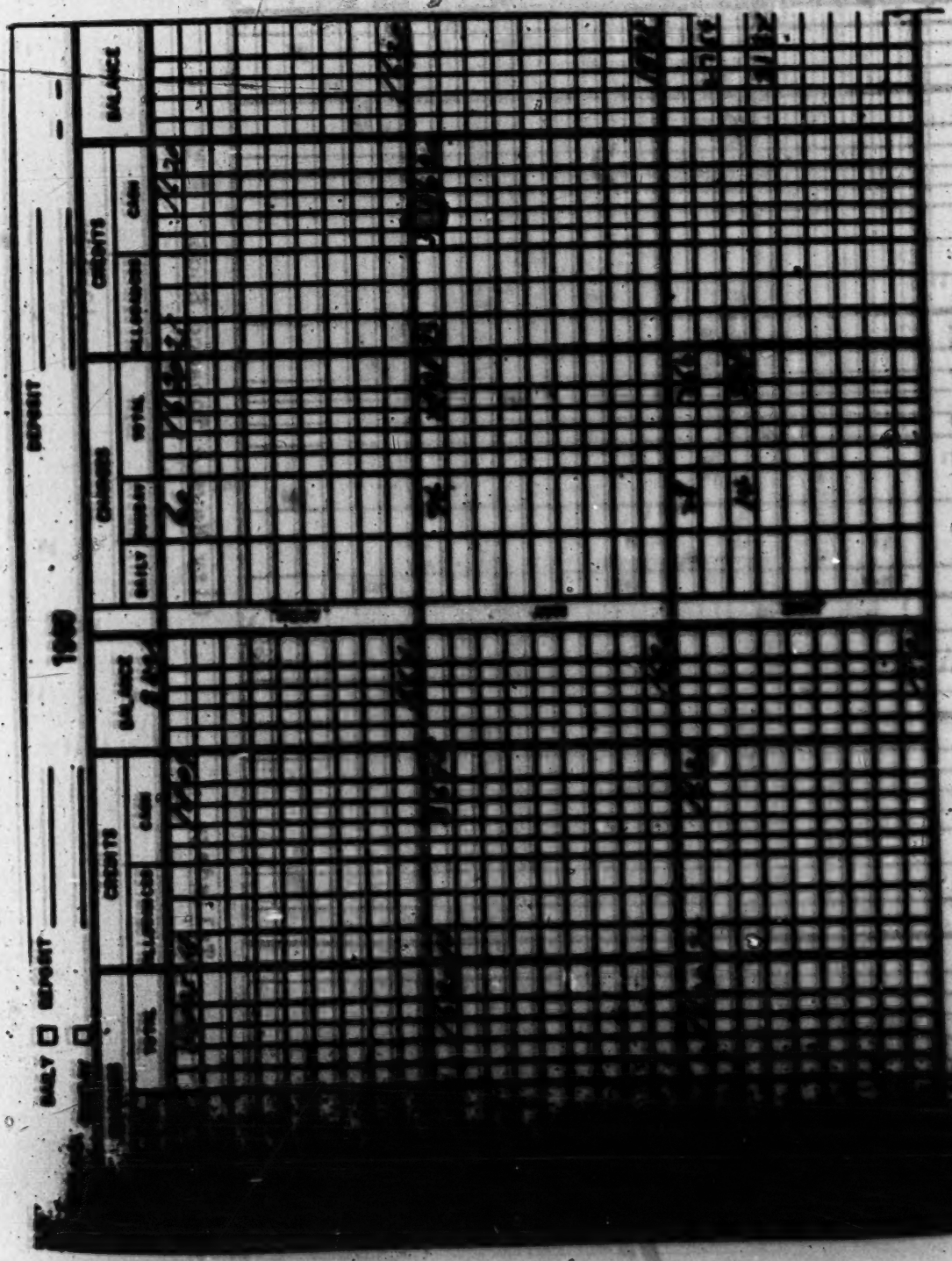
[fol. 1222]

PLAINTIFF'S EXHIBIT No. 289



[fol. 1223]

PLAINTIFF'S EXHIBIT No. 290



DAILY ☐ DEPOSIT _____ DEPOSIT _____

DATE — SUNDAY ☐ 1900 5.00

CHARGES			CREDITS		BALANCE	CHARGES			CREDITS		BALANCE
DAILY	SUNDAY	TOTAL	ALL CHARGES	CASH		DAILY	SUNDAY	TOTAL	ALL CHARGES	CASH	
	30	1.20			14.50						

Entered in

THE NEW YORK TIMES COMPANY Credit Memorandum

NO.		SAT'DAY	DAILY	SUNDAY
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				
	Returned			
	Total Ret'd.			
	Allowed			
	Rejected			

CHARGE

	City	City Agents	Country
Daily Issues			
Sunday Issues			42
Subscription Iss.			
Book Review Iss.			
Daily			
Sunday			
Int'l Reserve			

Date 6/10/09 No.

Your Return Claim Dated 6/1/09

Credit to

Name

Address

Town

Returns Received from

Name

Address

Town

W.S.	DRAW	RETURNED	ALLOW

CREDIT

City Dealers' Ledger No.	
Country Dealers' Ledger No.	5
Foreign Ledger	
Canada Ledger	
City Agents' Ledger	
..... School Ledger	
Book Review Ledger	
..... Ledger	

Reason for Allowing Credit

Saturday	7	c	$
Saturday	7	c	
Daily	7	c	
Daily	7	c	
Daily	7	c	
Sundays	6	c	
Sundays	7	c	
		c	

City Suburban Total $

Per Checked Approved Passed for Payment

PLAINTIFF'S EXHIBIT No. 292

1808 [fol. 1225]

RATE — SUNDAY ☐

CHARGES			CREDITS		BALANCE
DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	

JANUARY — FEBRUARY — MARCH — APRIL — MAY — JUNE

CHARGES			CREDITS		BALANCE
DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	

Gadsden News Co. 109 E. Chestnut St. E. Gadsden, Ala.

DAILY ☐ DEPOSIT _____ DEPOSIT _____

RATE SUNDAY ☐

CHARGES			CREDITS		BALANCE
DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	

JULY — AUGUST — SEPTEMBER — OCTOBER — NOVEMBER — DECEMBER

CHARGES			CREDITS		BALANCE
DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	

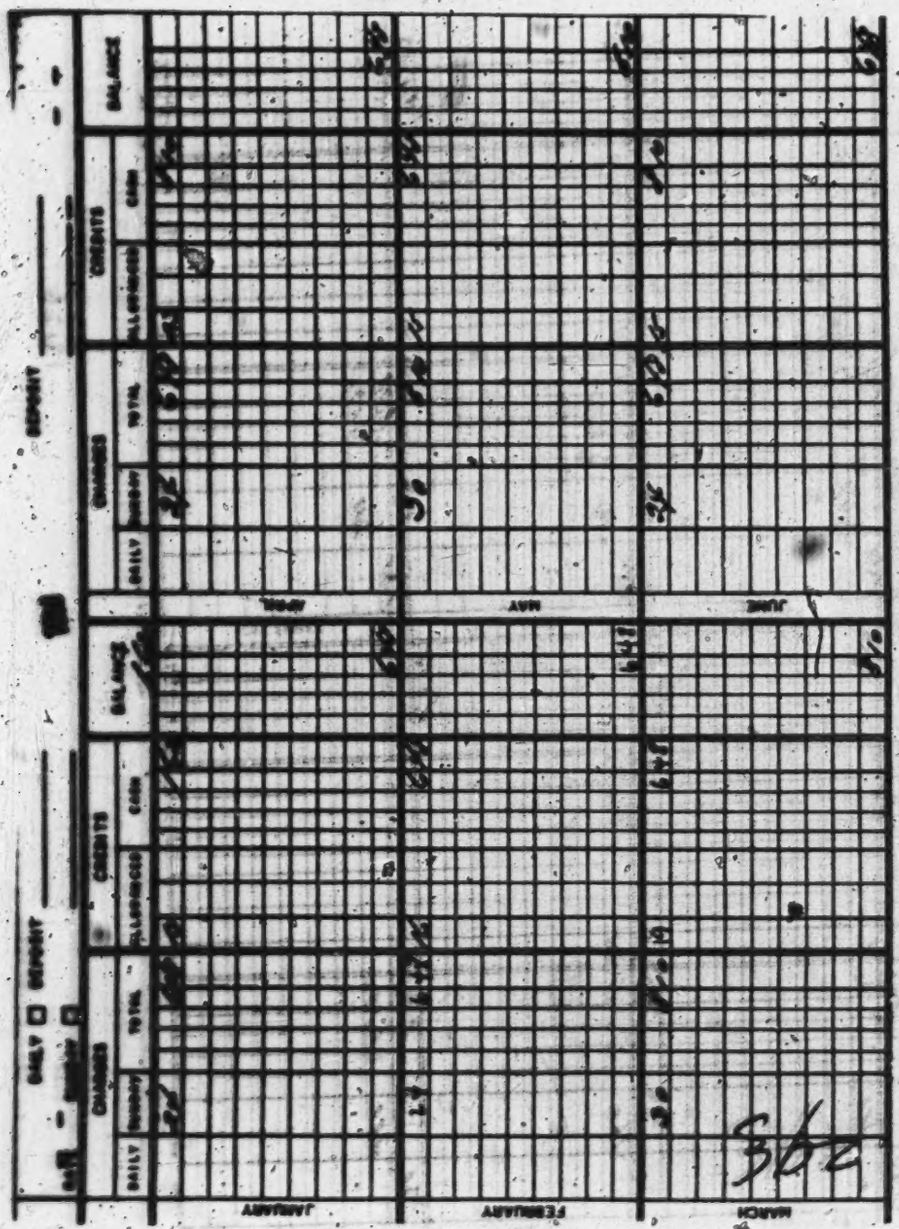
ACME SPEED...

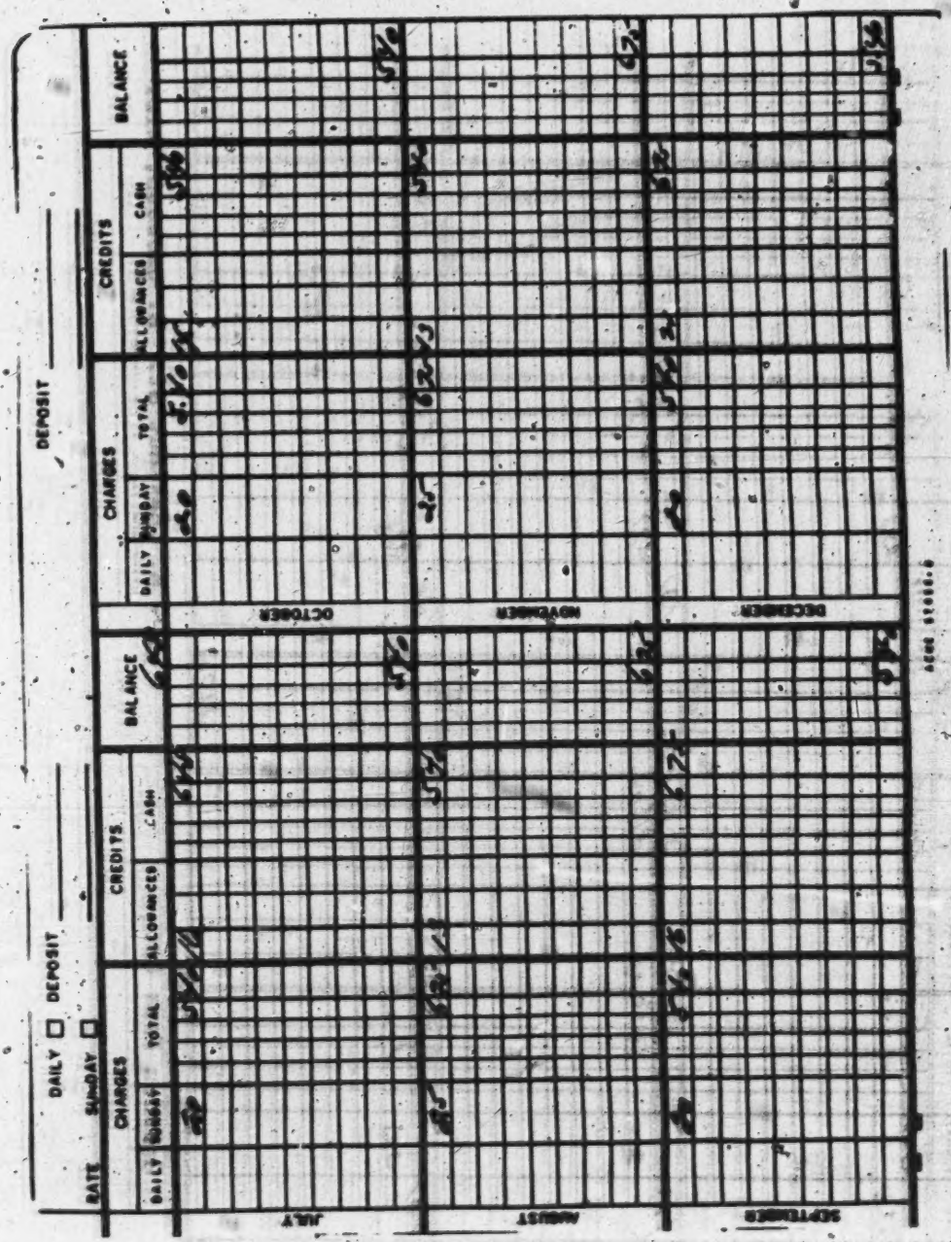
1226

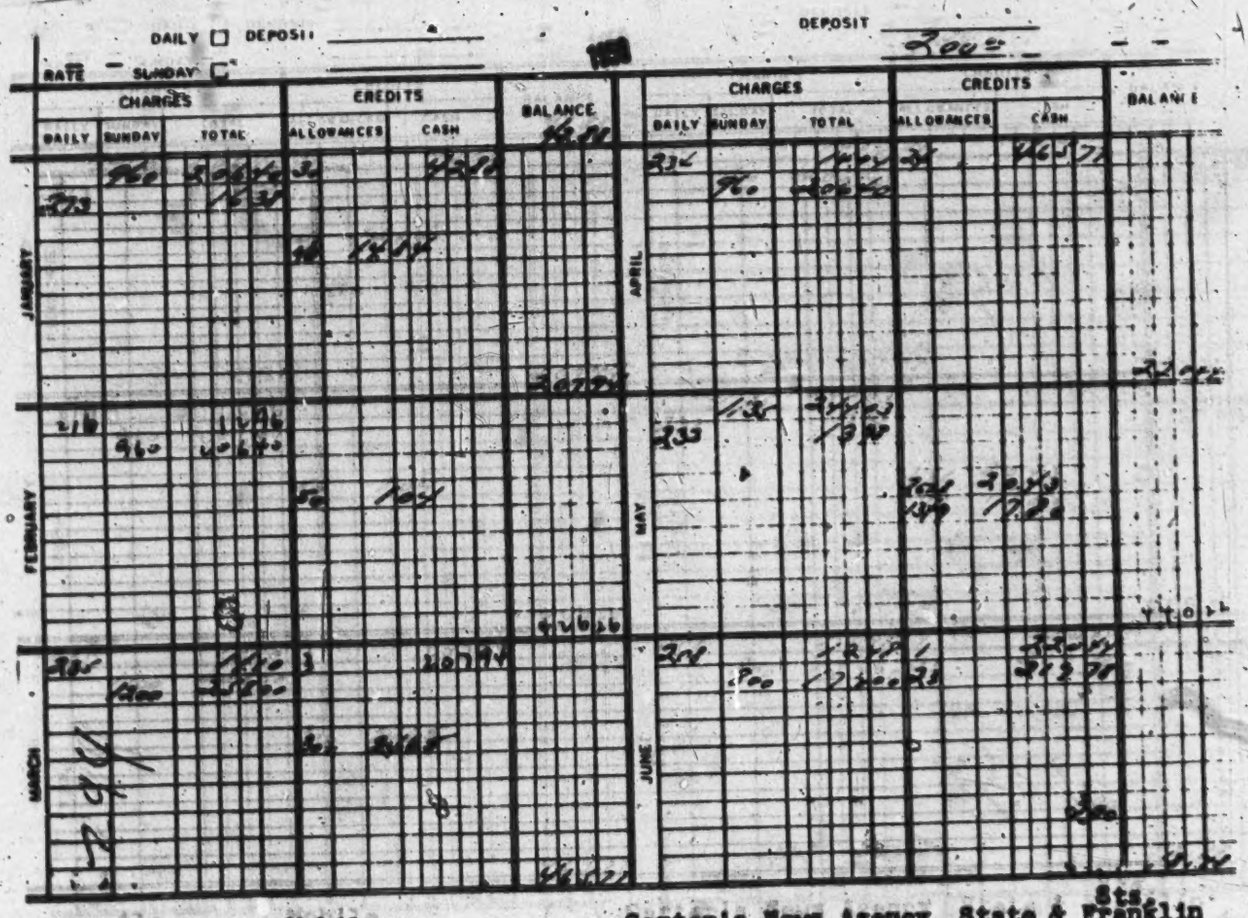
[fol. 1226]

1809

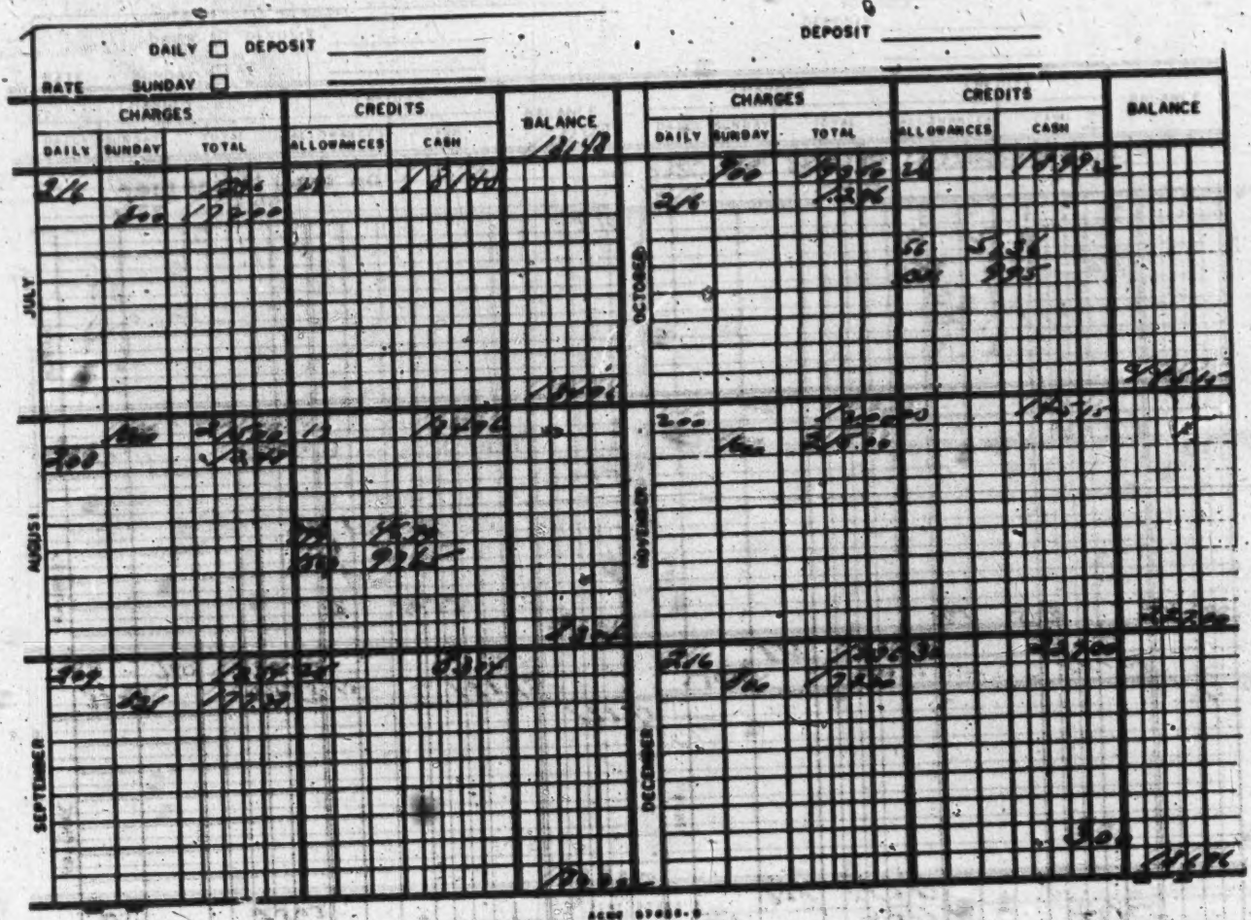
PLAINTIFF'S EXHIBIT No. 293







Ala. Mobile Carter's News Agency State & Franklin Sts.



[fol. 1228]

PLAINTIFF'S EXHIBIT No. 294

1811

1228

DAILY ☐ DEPOSIT _____ DEPOSIT _____

RATE — SUNDAY ☐ _____ 1928

	CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JANUARY		760				
	345					
FEBRUARY	334	760				
MARCH	346	760				
APRIL	347					
MAY	345					
JUNE	347					

Jefferson News Co. 2320 2nd Ave. S. Birmingham, Ala.

DAILY ☐ DEPOSIT _____ DEPOSIT _____

RATE SUNDAY ☐ _____

	CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JULY	371	696				
AUGUST	353	696				
SEPTEMBER	359	716				
OCTOBER	346	716				
NOVEMBER	346	716				
DECEMBER	349	716				

1812
[fol. 1229]

PLAINTIFF'S EXHIBIT No. 295

1229

DAILY ☐ DEPOSIT _____ 1965 DEPOSIT _____

RATE — SUNDAY ☐ _____ 25.00

	CHARGES			CREDITS		BALANCE		CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	155.25		DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JANUARY	1.36		8.04	11	16.53		APRIL	1.80		4.95	15	30.00	
		3.60	7.96						3.95	6.95			
						155.68							222.95
FEBRUARY	1.20		6.12	11	26.32		MAY	1.30		8.45	6	32.18	
		3.60	6.12						3.70	7.95			
						56.23							190.92
MARCH	1.35		8.78	11	26.34		JUNE	.30	1.40	3.82	5	30.00	
		3.60	6.23										160.92
								.30		1.85			
									.74	4.91			160.73
								.35		1.85		30	
									.74	4.91			165.25
						0 1.32							

Gadsden News Co. 109 E. Chestnut St. E. Gadsden, Ala.

123D

[fol. 1230]

PLAINTIFF'S EXHIBIT No. 296

666

DAILY ☐ DEPOSIT _____ 1938 DEPOSIT 175.25

RATE — SUNDAY ☐

	CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JANUARY		5.40	111.37	15	3.45	
	3.32		2.52			
						132.95
FEBRUARY	2.64		17.16	15	132.95	
		5.40	117.83			
				5.72	25	
						134.33
MARCH	4.88		18.72	12	134.33	
		4.25	147.28			
						165.00

	CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
APRIL	2.16		10.53	15	156.00	
		5.40	110.92			
				3.60	3.92	
						133.40
MAY	2.11		17.72	12	133.42	
		6.30	119.05			
				3.24	3.22	
						164.33
JUNE	3.16		30.72	12	162.53	
		5.32	116.32			
					3.25	
						152.47

Anderson News 114 E Mobile St. Florence, Ala.

DAILY ☐ DEPOSIT _____ DEPOSIT _____

RATE SUNDAY ☐

	CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JULY	3.51		32.42	13	134.33	
		9.36	132.93			
		4.50	137.43			
						152.32
AUGUST	3.38		22.22	13	100.00	
		5.30	128.52			
		3.25	131.77			
				24	24	
						50.46
SEPTEMBER	3.37		32.32	24	30.46	
		9.36	132.68			
		2.60	135.28			
				24	24	
				9.36	9.36	
						103.92

	CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
OCTOBER	3.51		32.42	11	23.46	
		9.36	132.68			
		2.60	135.28			
				24	24	
				3.24	3.24	
						236.46
NOVEMBER	3.32		32.32	13	81.93	
		6.20	138.52			
		3.25	141.77			
				24	19.22	
						318.30
DECEMBER	3.51		32.42	24	103.68	
		9.36	132.68			
		2.60	135.28			
				24	5.16	
				4.25	4.25	
						334.42

ACME STOCK-6

1231

1814
[fol. 1231]

PLAINTIFF'S EXHIBIT No. 297

DAILY ☐ DEPOSIT _____ DEPOSIT _____

RATE — SUNDAY ☐ _____

	CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JANUARY						
FEBRUARY						
MARCH						
APRIL						
MAY						
JUNE						

Montgomery News Co. 9 Madison Ave. Montgomery, Ala.

DAILY ☐ DEPOSIT _____ DEPOSIT _____

RATE — SUNDAY ☐ _____

	CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JULY						
AUGUST						
SEPTEMBER						
OCTOBER						
NOVEMBER						
DECEMBER						

ACME STORE-O

1232

[fol. 1232]

PLAINTIFF'S EXHIBIT No. 298

1815

DAILY ☐ DEPOSIT _____ 1958 DEPOSIT _____

RATE SUNDAY ☐

	CHARGES			CREDITS		BALANCE		CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH			DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JANUARY							APRIL						
FEBRUARY							MAY						
MARCH							JUNE						

Ala. Dothan Lurie News Co. -709 Dusy St.

DAILY ☐ DEPOSIT _____ DEPOSIT _____

RATE SUNDAY ☐

	CHARGES			CREDITS		BALANCE		CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH			DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JULY							OCTOBER						
AUGUST							NOVEMBER						
SEPTEMBER							DECEMBER						

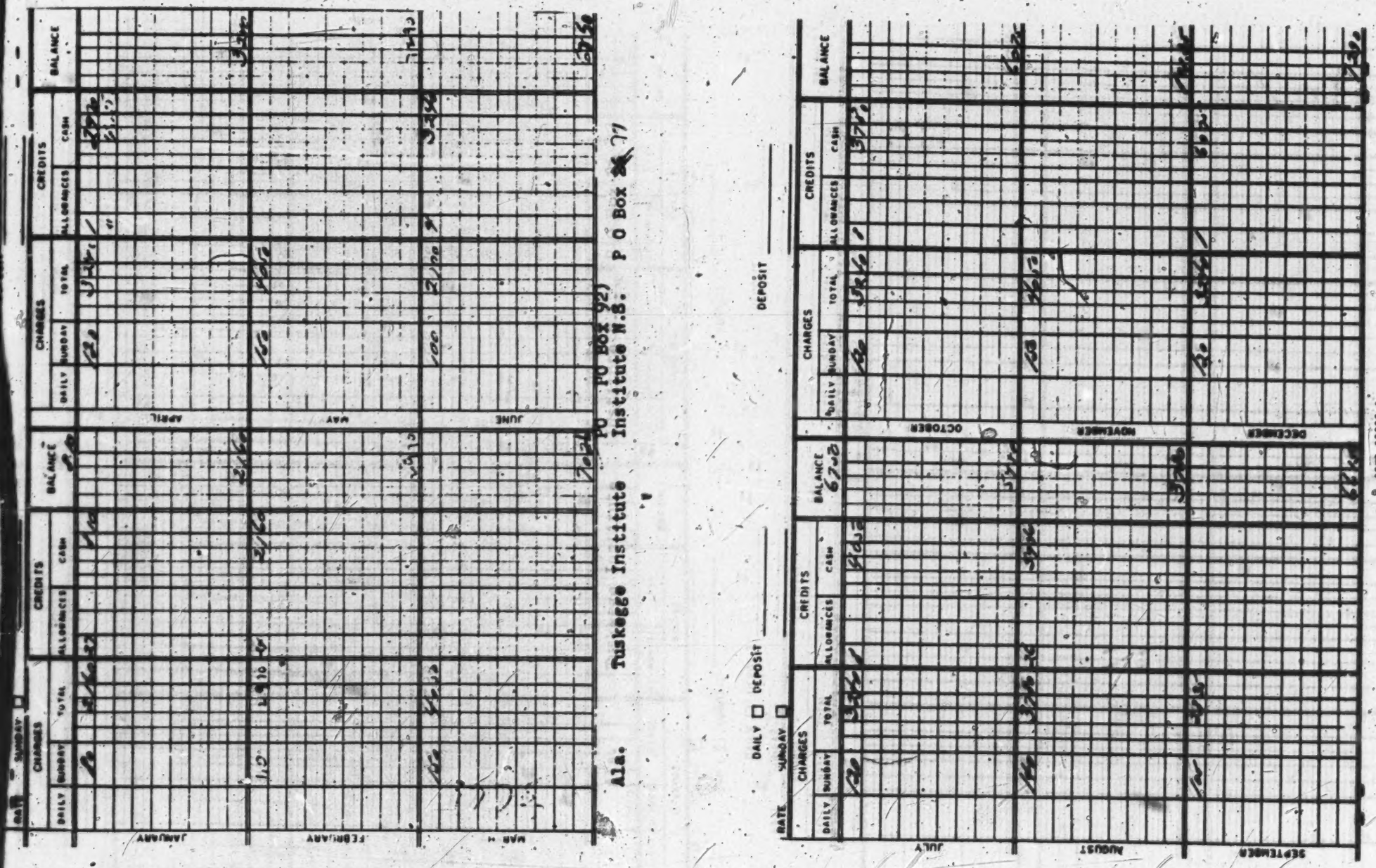
ACME 69666

1233

1816
[fol. 1233]
Plaintiff's Exhibit No. 299

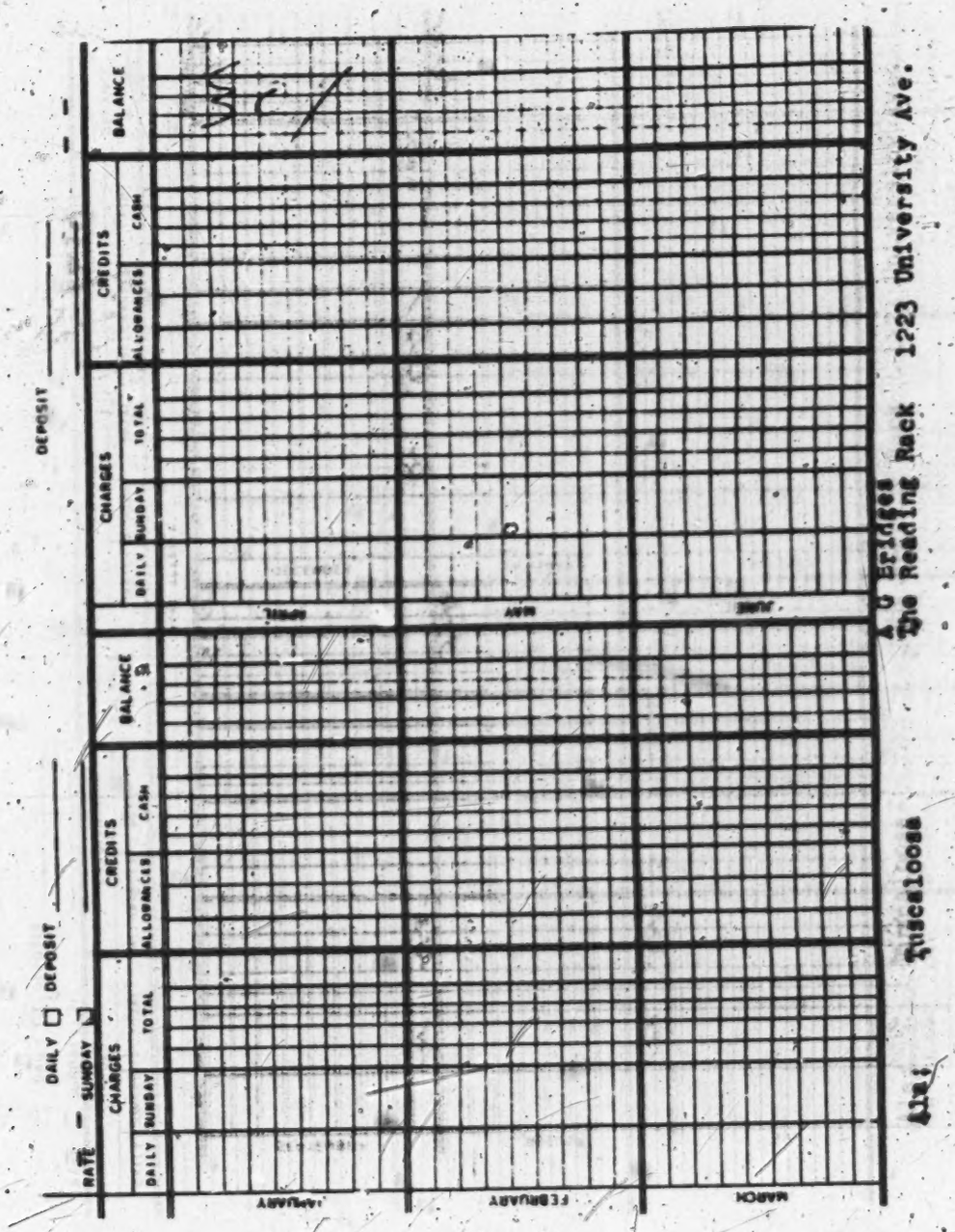
[fol. 1234]

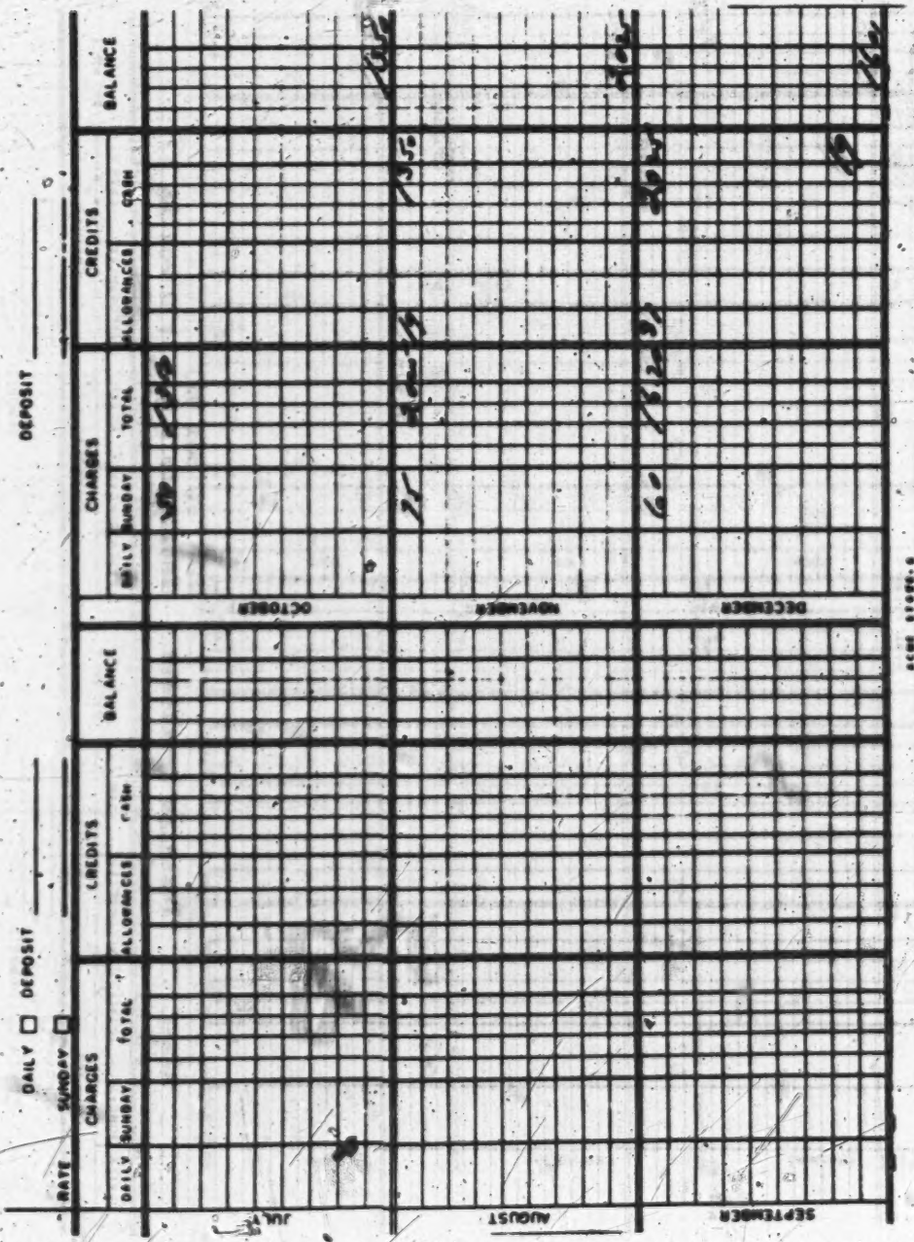
PLAINTIFF'S EXHIBIT No. 300

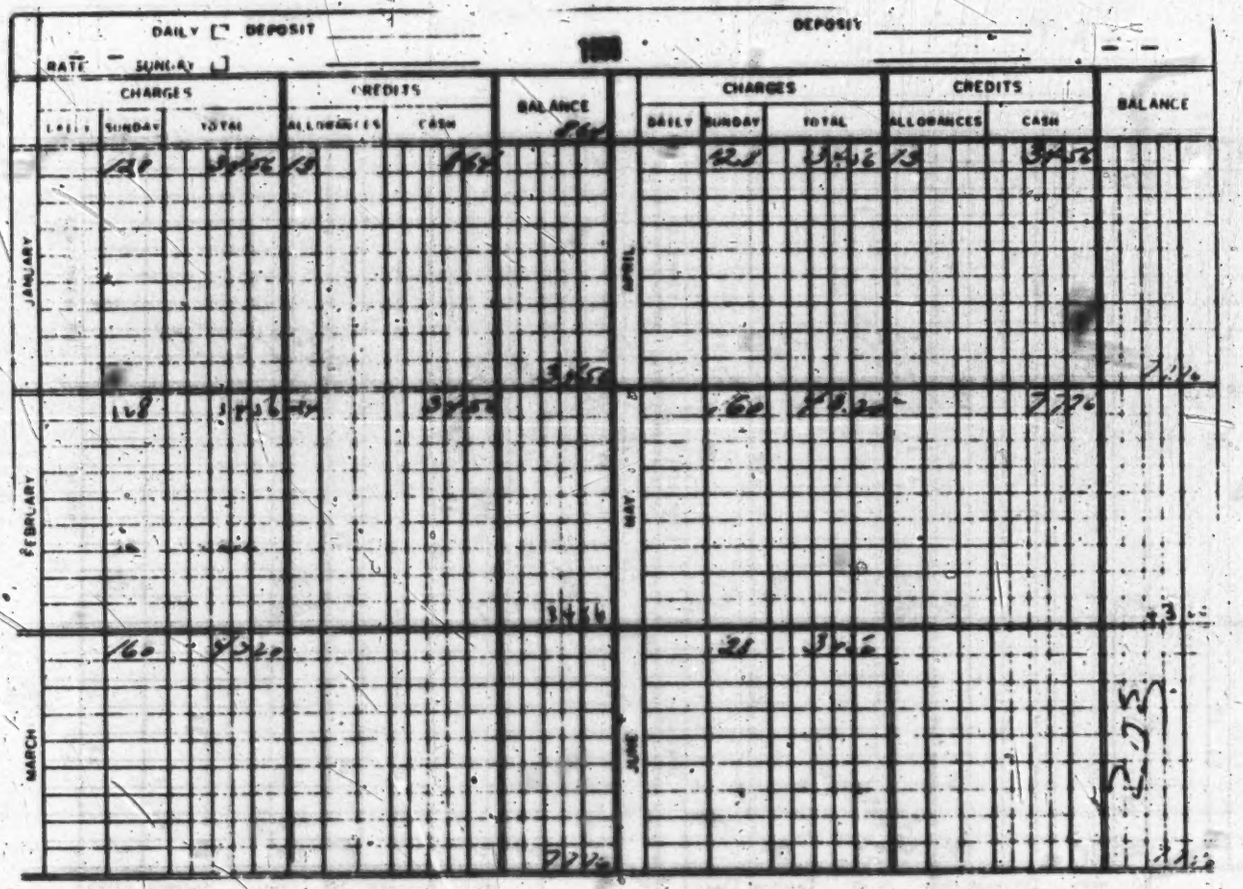


1818
[fol. 1235]

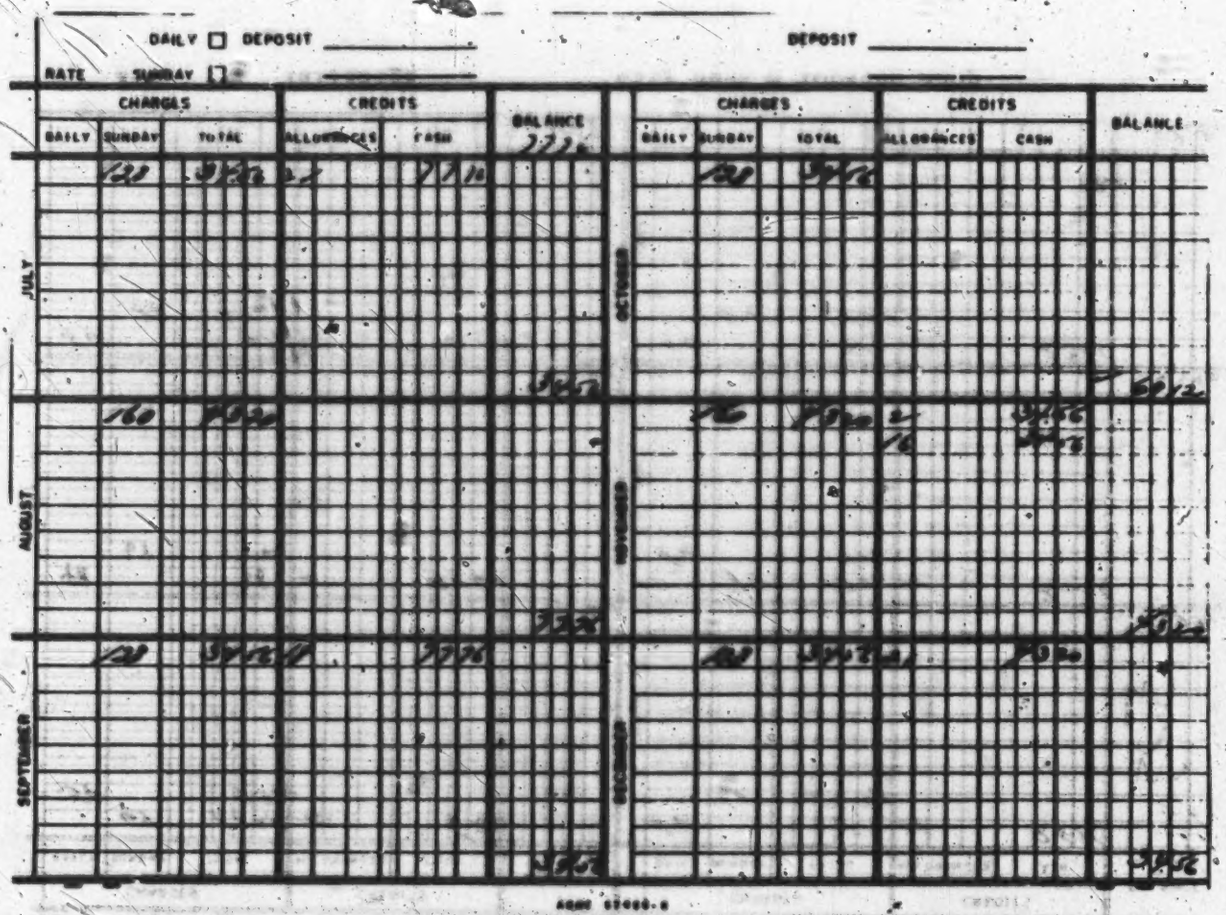
PLAINTIFF'S EXHIBIT No. 301







Ala. Tuscaloosa Lustig Book Shop 2227 Broad St.



1236

[fol. 1236]

PLAINTIFF'S EXHIBIT No. 302

1819

672

DAILY ☐ DEPOSIT _____ 1938 DEPOSIT _____

RATE _____ SUNDAY ☐

	CHARGES			CREDITS		BALANCE		CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH			DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JANUARY							APRIL						
FEBRUARY							MAY						
MARCH							JUNE						

Ala. Talladega City News & Tobacco Shop

DAILY ☐ DEPOSIT _____ DEPOSIT _____

RATE _____ SUNDAY ☐

	CHARGES			CREDITS		BALANCE		CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH			DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JULY							OCTOBER						
AUGUST							NOVEMBER						
SEPTEMBER							DECEMBER						

ACME 07000-0

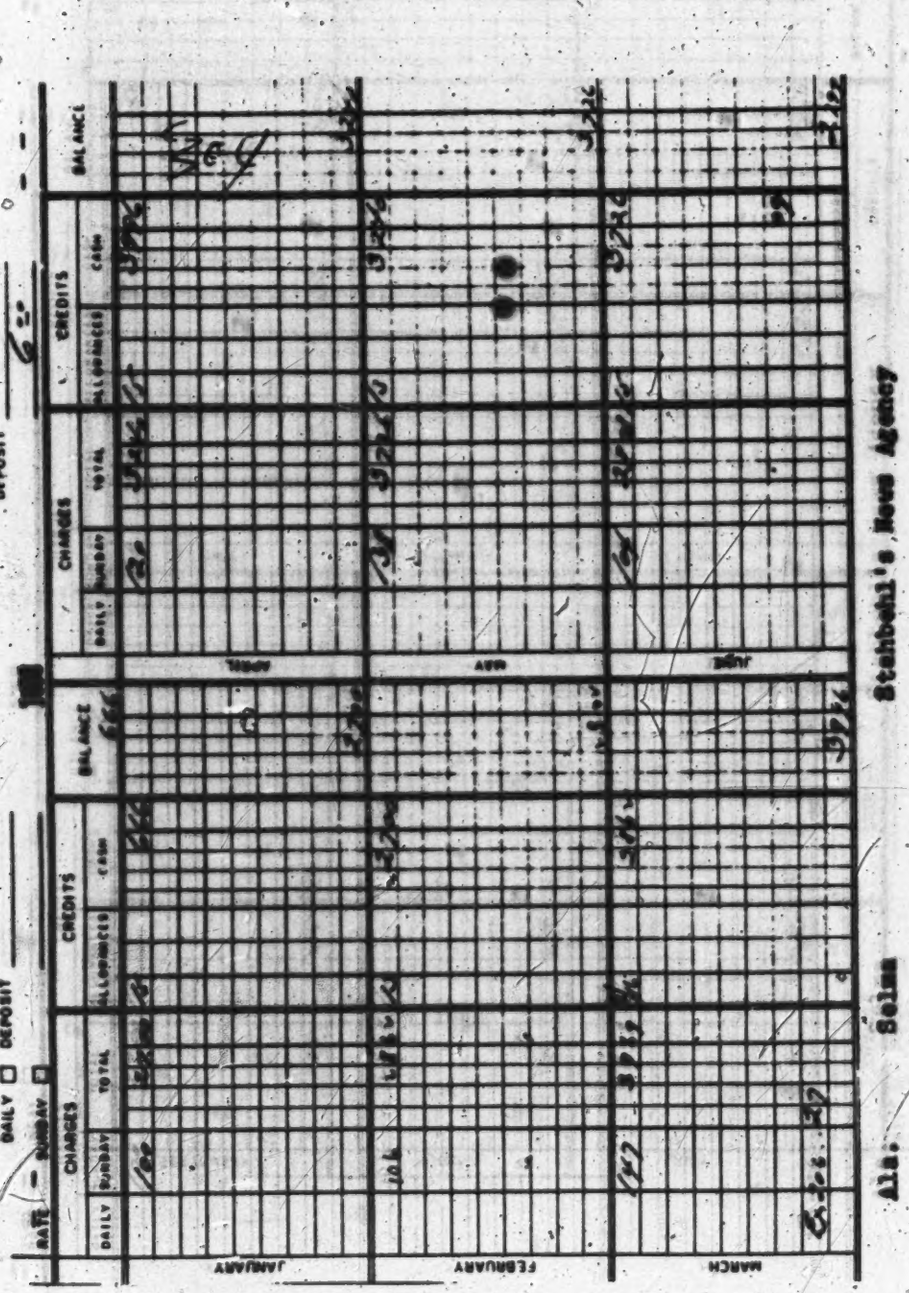
1237

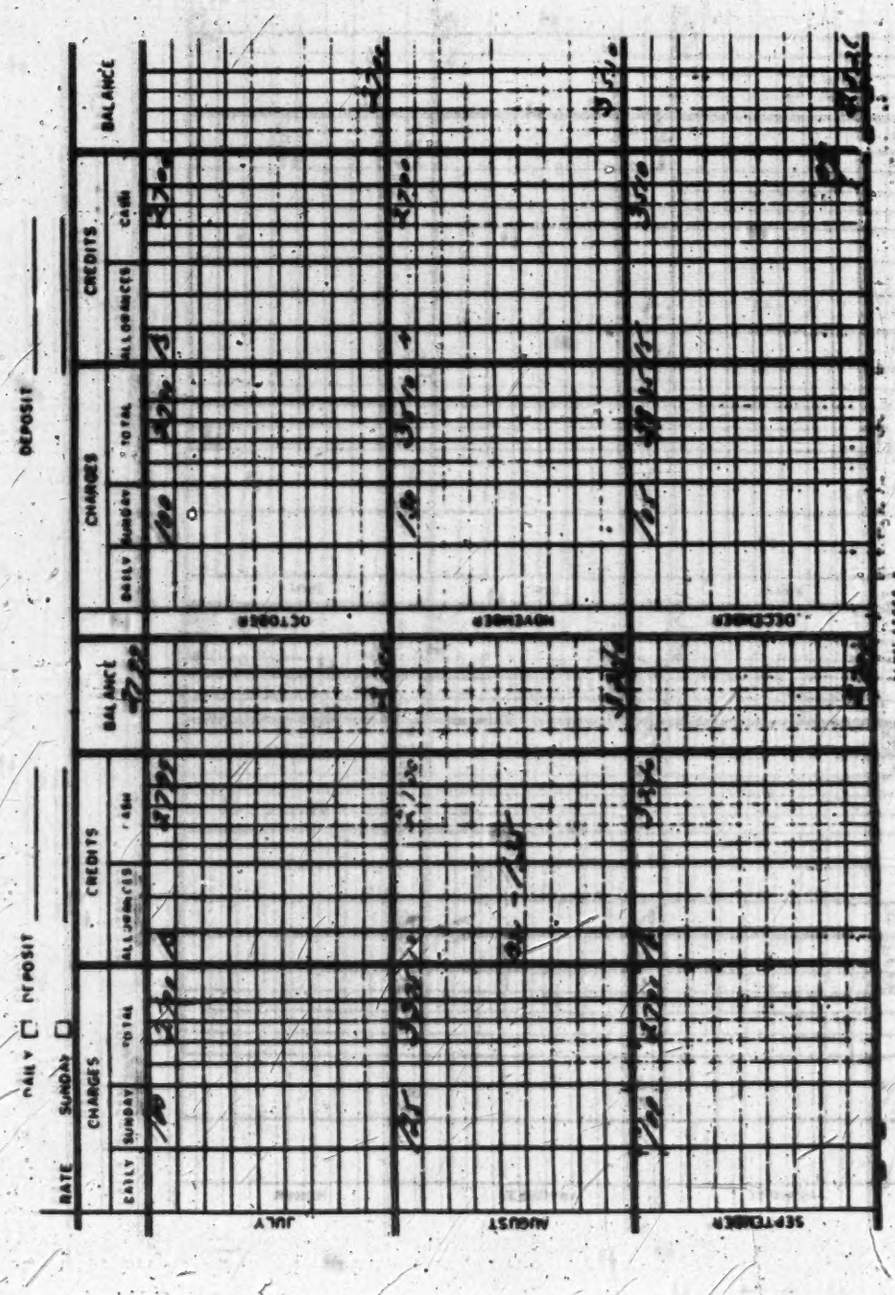
1830
[Vol 1237]

PLAINTIFF'S EXHIBIT No. 303

[fol. 1238]

PLAINTIFF'S EXHIBIT No. 304





1238

674

DAILY ☐ DEPOSIT _____ 1938 DEPOSIT _____

RATE — SUNDAY ☐

	CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JANUARY						
FEBRUARY						
MARCH						
APRIL						
MAY						
JUNE						

Elgin Ozark Brown's Pharmacy

DAILY ☐ DEPOSIT _____ DEPOSIT _____

RATE SUNDAY ☐

	CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JULY						
AUGUST						
SEPTEMBER						
OCTOBER						
NOVEMBER						
DECEMBER						

ACME STOCK-6

1239

1822
[fol. 1239]

PLAINTIFF'S EXHIBIT No. 305

No.

JOURNAL VOUCHER

CIRCULATION ACCOUNTING DEPARTMENT

DATE May 13, 1959

DEBIT		DESCRIPTION	CREDIT	
CONTROL	DETAIL		DETAIL	CONTROL
82.80		Circ. Country Ledger No. 3 Circ. Income (Sunday)		82.80
	82.80	Intelligence & Bibliography Branch-Air War College, Maxwell Air Force Base, Ala. PO 01-600-59-1128		
		To balance ledger on stopped account. Difference arose from rate charged from period Sept 28, 1958 to Nov 2, 1958, for 60 Sunday copies of NY TIMES.		

EDITED _____ WRITTEN BY _____ EXAMINED _____ APPROVED _____

1240

[fol. 1240]

PLAINTIFF'S EXHIBIT No. 306

DAILY ☐ DEPOSIT _____ DEPOSIT _____

RATE — SUNDAY ☐ 1938

	CHARGES			CREDITS		BALANCE		CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH			DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JANUARY							APRIL						
FEBRUARY							MAY						
MARCH							JUNE						

Intelligence & Bibliography Branch
Air War College #01-600-59-1128

Ala. Maxwell AFB

DAILY ☐ DEPOSIT _____ DEPOSIT _____

RATE — SUNDAY ☐

	CHARGES			CREDITS		BALANCE		CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH			DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JULY							OCTOBER						
AUGUST							NOVEMBER						
SEPTEMBER							DECEMBER						

ACME 07666-6

1804

[Oct 1941]

8241

DAILY ☐ DEPOSIT _____ DEPOSIT # 175 [illegible]

RATE — SUNDAY ☐ _____

	CHARGES			CREDITS		BALANCE		CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH			DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JANUARY							APRIL		2.00	8.00	16	32.00	
FEBRUARY							MAY		2.50	8.00	16	30.00	
MARCH		1.80	7.20			7.60	JUNE		1.80	7.20	15	31.20	1.91 7.69

DAILY ☐ DEPOSIT _____ DEPOSIT _____

RATE SUNDAY ☐ _____

	CHARGES			CREDITS		BALANCE		CHARGES			CREDITS		BALANCE
	DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	7.69		DAILY	SUNDAY	TOTAL	ALLOWANCES	CASH	
JULY		.90	3.60	2	7.69	4.00	OCTOBER						
AUGUST				2	3.60	.09	NOVEMBER						
SEPTEMBER							DECEMBER						

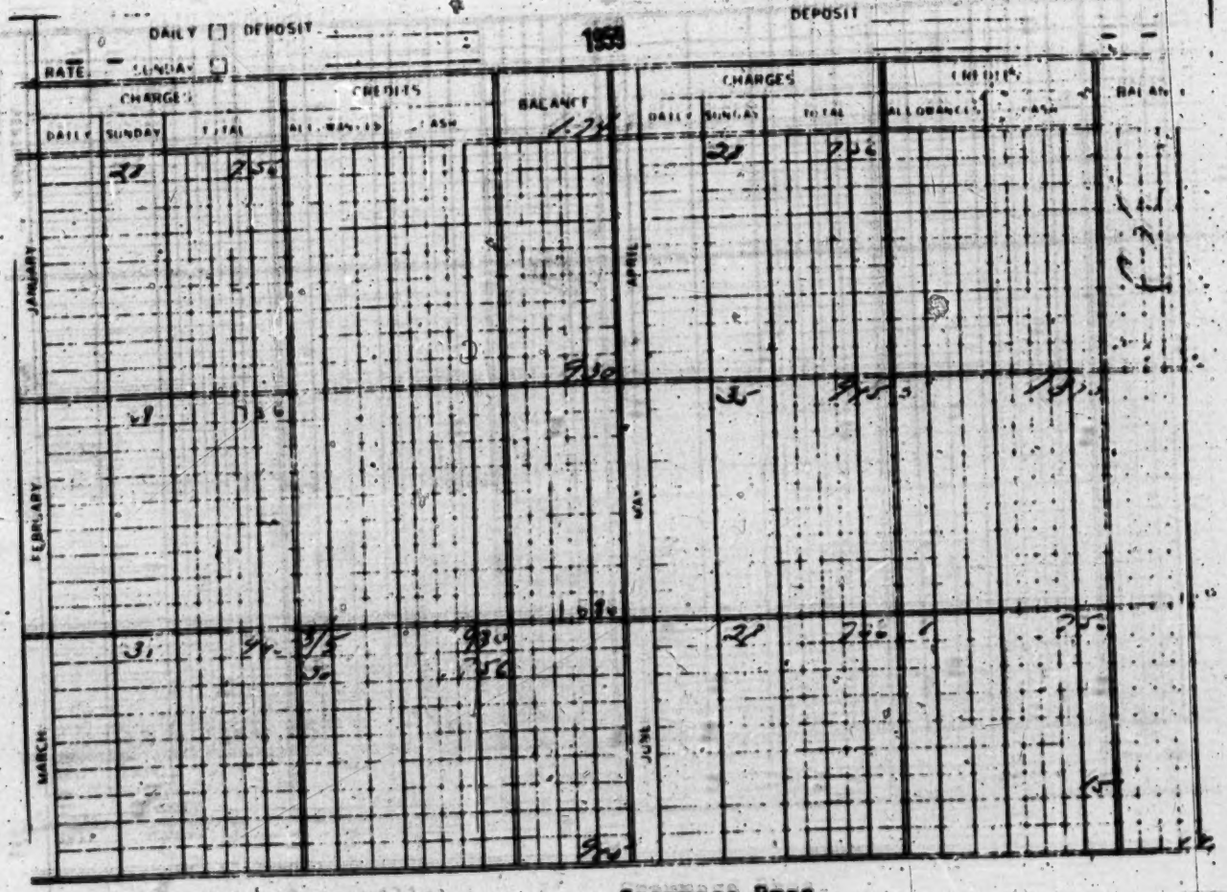
1242

[fol. 1242]

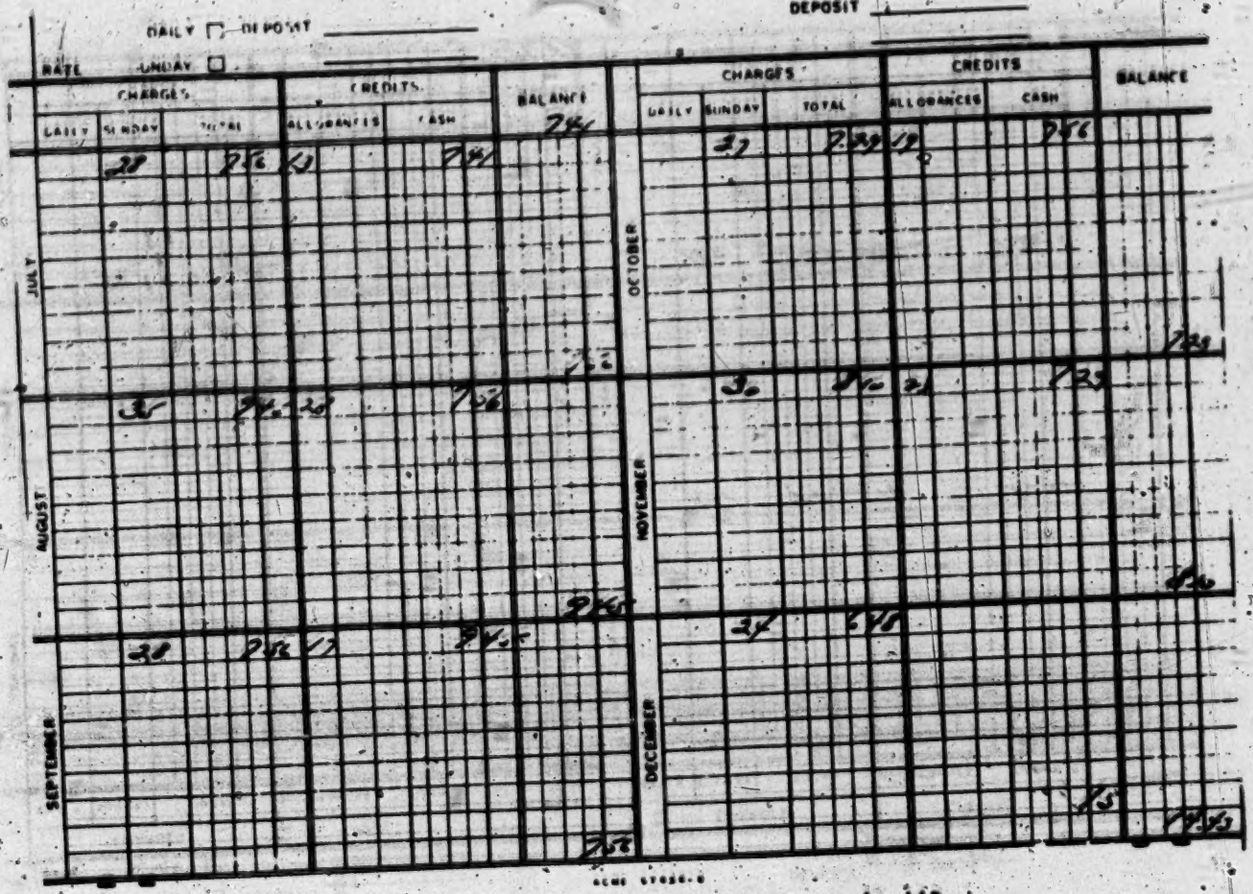
PLAINTIFF'S EXHIBIT No. 307

1825

78

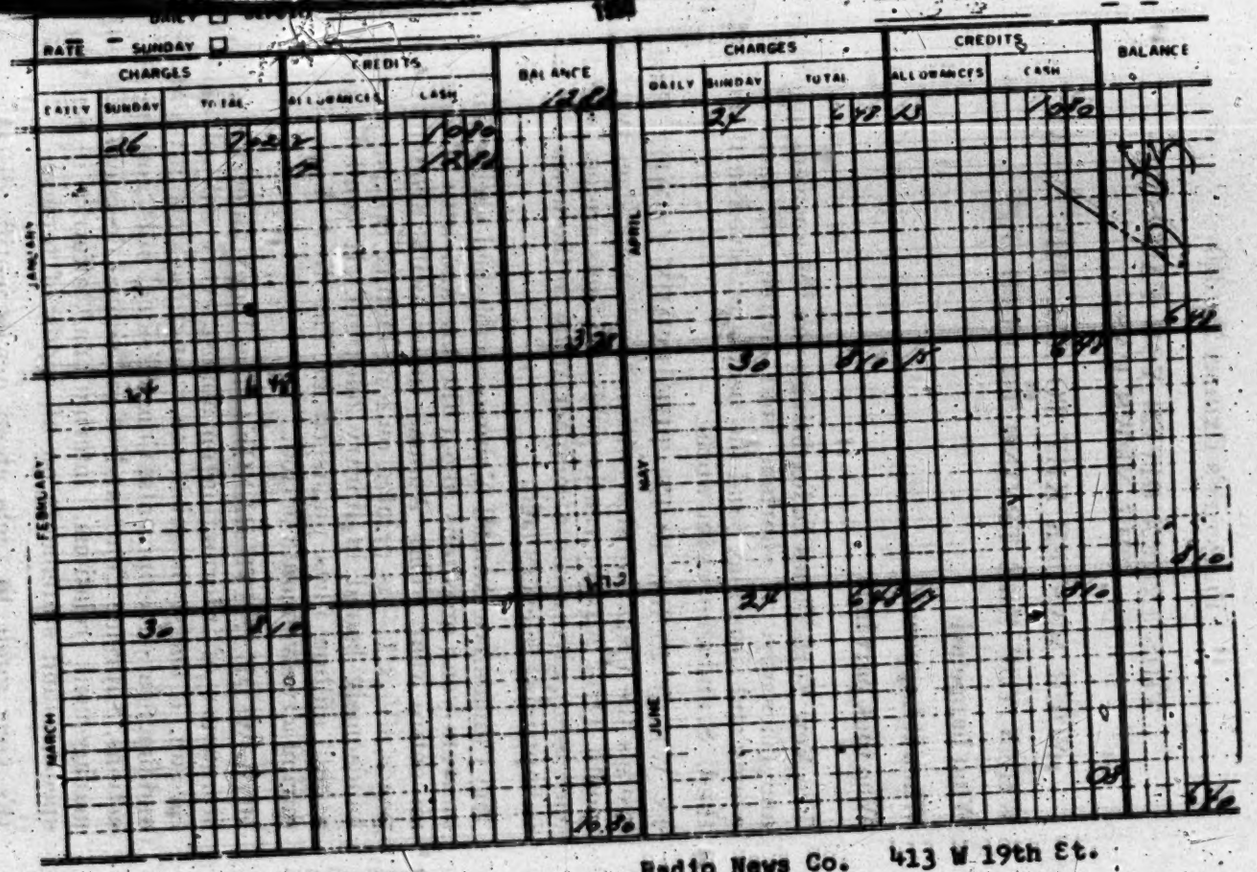


Ala. Greenville Grammage Bros.

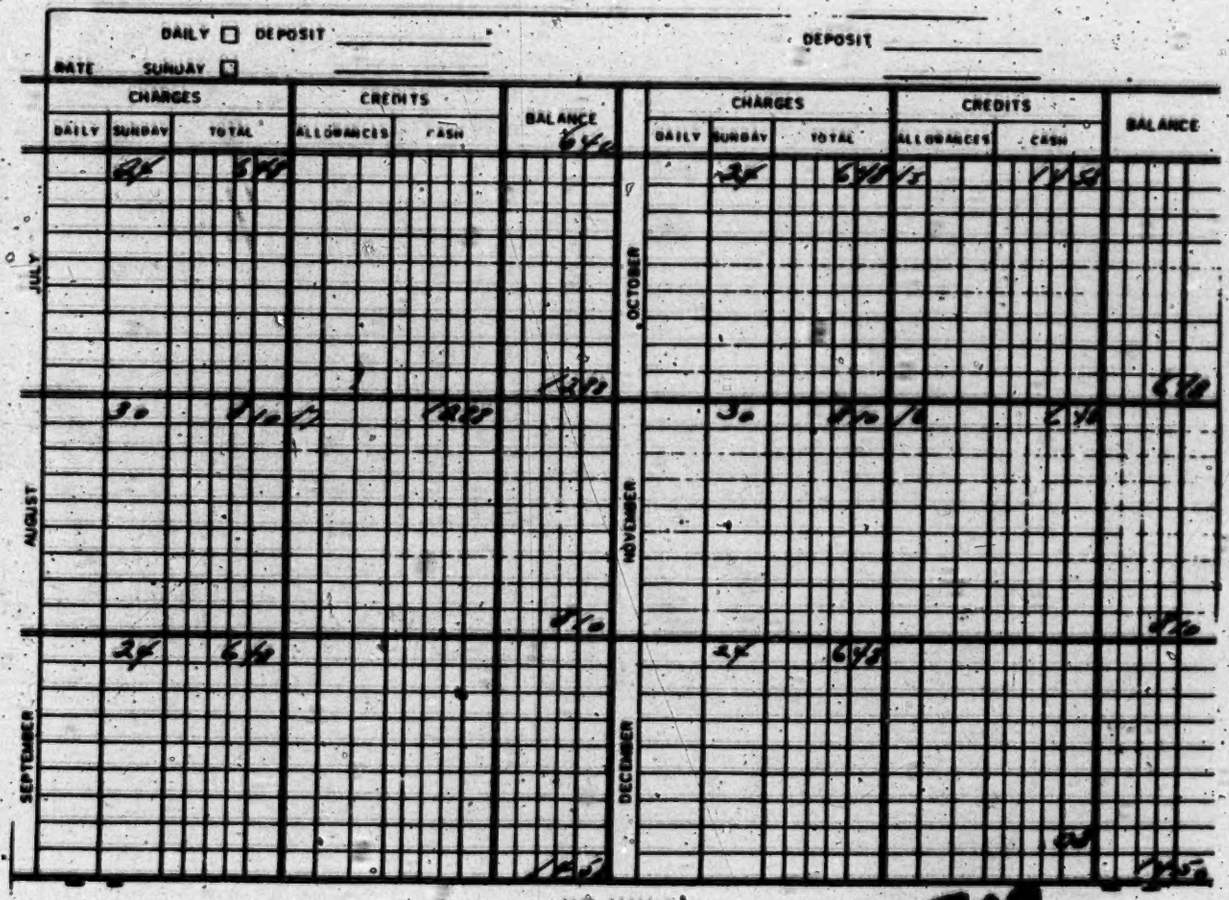


1243

1896 [fol. 1243] Plaintiff's Exhibit No. 308



Ala. Bessemer Radio News Co. 413 W 19th St.



[fol. 1244]

PLAINTIFF'S EXHIBIT No. 309

1827

309

1244

[fol. 1245]

IN CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

PLAINTIFF'S EXHIBIT No. 310

THIS INDEX GIVES YOU FACTS IN THE NEWS FAST

YOUR MASTER KEY TO ALL THE NEWS

WHEN YOU ARE TRYING TO FIND OUT

What happened

When it happened

Who took part in it

The New York Times Index brings you the answers quickly and efficiently. It shortens your search for facts about events and situations (and the people involved in them) in the U. S. and all over the world.

IN WHAT FORM DOES THE INDEX COME? First, there's the magazine-size edition that's published twice-a-month. Over 20,000 recently published facts are packed into each issue, giving you a compact guide to the news of what is happening in every field.

The Cumulative Annual Volume—published each spring—answers your questions about the big and little events of an entire year. This Annual Index—with around 1,000 pages, 8½ x 11—is printed on long-lasting rag paper, and handsomely bound in library buckram. It contains over a half million facts published in The New York Times during a twelve-month period.

HOW WIDE IS ITS RANGE? The Index unlocks a great storehouse of information on almost every subject under the sun. It leads you quickly to wanted facts about business and financial developments, Congressional bills, government actions, Supreme Court and other judicial decisions, labor-management relations, international affairs, important speeches and statements on all kinds of topics.

It's your guide to facts about new scientific discoveries, new inventions, new manufacturing techniques. It helps

you locate information relating to education, religion, sociology, the fine arts—and countless other fields of endeavor.

[fol. 1246] HOW IS THE INDEX ORGANIZED? The material in the Index is organized under thousands of alphabetically arranged headings that identify subjects, persons, organizations and geographical locations. Under each heading the events are listed and summarized in chronological order with dates, page numbers and column numbers that enable you to immediately find the complete story in a file of The New York Times.

CAN IT BE USED INDEPENDENTLY OF THE TIMES? Of course! In scanning the Index's summary of an event or situation, you'll often find enough details to answer all your questions. And because you are given the original publication date of each story, you can use the Index in locating information buried in your files of other newspapers, news magazines and specialized publications.

WHAT'S A TYPICAL SUMMARY LIKE? Let's suppose you are tracking down news facts about developments relating to radiation and radioactivity. Under the letter "R" you would find a summary of this kind:

> RADIATION and Radioactivity. See: Atomic Energy. Sources, eg. Cosmis Rays, Uranium
>
> U.S. Pioneer V space probe equipped to study spatial radiation and effects of solar flares, Mr 12, 1:8, W. Sullivan on Drs Dessler and Karplus theory that Van Allen belts are fed by cosmic rays rather than solar particles, Mr 15, 17:1

The above summary, from the March 1-15, 1960 issue of the Index, is typical. It gives you the highlights of developments, and at the end of each entry it tells you where to look for more details. For example, the reference Mr 12, 1:8 indicates that the story appeared in the March 12 issue of The Times, on page 1, column 8. The date also tells you when the story may have been covered in other publications you keep on file.

THE ONLY REFERENCE AND RESEARCH SOURCE OF NEWS INFORMATION OFFERING

1. A detailed index to the news published in The New York Times every day.

[fol. 1247] 2. A day-to-day history of human affairs in all areas of activity.

3. a guide to national and international news in any publication your file.

THE NEW YORK TIMES INDEX
A BOOK OF RECORD 1959

YOU GET A LOT FOR A LITTLE! The Index is a non-profit service of The New York Times, and subscribers pay only a fraction of the cost of editing and producing their copies. This means that you get the twice-a-month editions for a full year (24 issues) at the low price of $50. The Cumulative Annual Index, when purchased separately is also only $50.

And you save $15 when your order covers the complete Index service. You get all the twice a month editions for a year, plus a copy of the Cumulative Annual Volume for a combination price of only $85 (instead of $100). Most Index subscribers take advantage of this money-saving offer.

You'll find that your small investment in an Index subscription is repaid many times over by the time and effort it saves. Send your order in today, and you'll soon be tracking down facts faster and more efficiently.

THE NEW YORK TIMES INDEX, TIMES SQUARE, NEW YORK 36, N. Y.

WHO USES THE INDEX?

The New York Times Index is used as a reference and research tool in all kinds of organizations. Among the subscribers are:

colleges and universities	labor unions
public libraries	trade organizations
industrial corporations	political organizations
government agencies	foundations
banks	scientific societies
insurance companies	municipal departments
newspapers	state libraries
[fol. 1248]	
advertising agencies	law firms and libraries
magazine publishers	religious, fraternal groups
embassies, legations	research organizations
broadcasting companies	public relations firms
historical societies	motion picture producers

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